

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

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GAMAGE ARTHUR PERERA FOUNDATION

(INCORPORATION) ACT, NO. 26 OF 2009

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[Certified on 21st April, 2009]

Printed on the Order of Government

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Published as a Supplement to Part II of the Gazette of the Democratic

Socialist Republic of Sri Lankaof April 24, 2009

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING,SRILANKA

TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU,COLOMBO5

Price : Rs. 6.00 Postage : Rs. 5.00

Gamage Arthur Perera Foundation (Incorporation) 1

Act, No. 26 of 2009

[Certified on 21st April, 2009]

L. D. —O. (Inc.) 38/2005

ANACTTO INCORPORATE THEGAMAGE ARTHUR PERERAFOUNDATION

WHEREAS a Foundation called and known as the “Gamage Preamble.

Arthur Perera 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 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 therefor enacted by the Parliament of the Democratic

Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Gamage Arthur Perera Short title.

Foundation (Incorporation) Act, No. 26 of 2009.

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

such and so many persons as are members of the “Gamage of the Gamage

Arthur Perera Foundation” (hereinafter referred to as the Arthur Perera

Foundation.

“Foundation”) or shall hereafter be admitted as members of

the Corporation hereby constituted shall and become a body

corporate with perpetual succession under the name and style

of Gamage Arthur Perera 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.

3. The general objects for which the Corporation is General

constituted are hereby declared to be — Objects of the

Corporation.

(a) to establish and maintain orphanages and homes

for the aged in the name of Gamage Arthur Perera

and to establish social welfare centres;

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(b) to provide medical aid, food and housing to the

poor, the destitute and the sick ;

(c) to co-operate and associate with other associations,

societies or organizations having objects similar to

those of the Corporation ;

(d) to sponsor and conduct conferences, seminars

workshops, group studies and lectures in Sri Lanka

and elsewhere, in furtherance of the objects of the

Corporation; and

(e) to print, publish and distribute books, journals,

leaflets, newspapers and magazines which the

Corporation may consider desirable for the

promotion and advancement of its objects.

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

the affairs of the rules of the Corporation be administered by a Committee of

Corporation.

Management of not less than seven members including the

President, Honorary Secretary, two Vice-Presidents and

Treasurer to be elected in accordance with the rules in force

for the time being of the Corporation.

(2) The first Committee of Management of the

Corporation shall consist of the members of the Committee

of Management of the Foundation holding office on the day

immediately preceding the date of commencement of this

Act. Such first Committee of Management may hold office

until holding of the first Annual General Meeting of the

Corporation.

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

Corporation. 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

furtherance of the objects of the Corporation or any of them,

including the power to open, operate or close bank accounts,

to borrow or raise moneys, with or without security, to receive

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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.

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 other

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

(a) the classification of membership and the admission,

withdrawal or expulsion of members;

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

from or vacation of or removal from, office of office

bearers and their power, conduct and duties;

(c) the election of the members of the Committee of

Management and its powers, conduct and duties

and the terms of office of members of the Committee

of Management;

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

various officers, agents and servants of the

Corporation;

(e) the procedure to be observed for the summoning

and holding of meetings of the Committee of

Management, the times, places, notices and agenda

of such meetings, the quorum therefore 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 its accounts; and

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

Corporation and the accomplishment of its objects.

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

altered, added to or rescinded at a like manner as a rule may

be made under sub-section (1).

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

the rules of the Corporation.

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

and payable to

the day preceding the date of commencement of this Act,

the Association.

shall be paid and discharged 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 hereby constituted.

Corporation may 8. The Corporation shall be able and capable in law to

hold property

movable and acquire and hold any property movable or immovable, which

immovable. may become vested in it by virtue of any purchase, grant, gift

or 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 of the Corporation, with full power to

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

encumber or charge the same.

Funds of the 9. (1) The Corporation shall have its own fund and all

Corporation.

moneys heretofore or hereafter to be received by way of gift,

bequest, donation, subscription, contribution, fees or grants

for or and on account of the Corporation shall be deposited

in one or more banks as the Corporation shall determine.

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

moneys as are required to defray any expenditure incurred

by the Corporation in the exercise, performance and discharge

of its powers and functions under this Act.

Accounts and 10. (1) The Corporation shall cause proper accounts to

Auditing.

be kept of all moneys received and expended by the

Corporation.

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(2) The Accounts of the Corporation shall be examined

and audited at least once in every year and the correctness of

Income, Expenditure and the Balance Sheet certified by the

Auditor or Auditors who shall be an associate member or

members of the Institute of Chartered Accountants of Sri Lanka

appointed by the Corporation.

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

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

dissolution.

any property whatsoever, such property shall not be

distributed among the members of the Corporation, but shall

be given or transferred to institution or institutions having

objects similar to those of the Corporation and which is or

are by its or their rules prohibited from distributing any

income or property, among the members.

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

any instrument whatsoever except under the authority of the Corporation.

Committee of Management and in the presence of the

President and the Secretary or a member of the Committee of

Management 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.

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

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

Republic and

corporate or of any other persons.

others.

14. In the event of any inconsistency between the Sinhala Sinhala text

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

case of

inconsistency.

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GOVERNMENT INFORMATION, NO. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th

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