PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

BIBLIOMANIA EDUCATIONAL BOOKS

FOR THE NATION FOUNDATION

(INCORPORATION) ACT, No. 34 OF 2009

[Certified on 26th June, 2009]

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Bibliomania Educational Books for the Nation 1

Foundation (Incorporation) Act, No. 34 of 2009

[Certified on 26th June, 2009]

L. D. —O. INC 10/2005

ANACT TO INCORPORATE THE BIBLIOMANIA EDUCATIONAL

BOOKS FOR THENATION FOUNDATION

WHEREAS an association called and known as the Preamble.

“Bibliomania Educational Books for the Nation Foundation”

has heretofore been formed at Colombo, for the purpose of

effectually carrying out all 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 formed 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 Bibliomania Educational Short title.

Books for the Nation Foundation (Incorporation) Act,

No. 34 of 2009.

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

such and so many persons as now are members of the the Bibliomania

Educational

Bibliomania Educational Books for the Nation Foundation

Books for the

(hereinafter referred to as the “Foundation”) and such other Nation

persons as shall hereafter be admitted as members of the Foundation.

corporation hereby constituted, shall be a body corporate

with perpetual succession under the name and style of the

“Bibliomania Educational Books for the Nation Foundation”

(hereinafter referred to as “the Corporation”) 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 will

and pleasure.

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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 undertake the publishing, printing, translation

and distribution islandwide of urgently needed

important educational books in Sinhala and Tamil

and the importation of books of international

importance ;

(b) to upgrade and improve facilities of libraries in

educational institutions ;

(c) to establish and maintain libraries, mobile libraries

and mobile “Books for the Nation” sales outlets

throughout the country ;

(d) to enable children, youth and adults in indigent

circumstance to gain access to books and other

publications required to help them to engage in

higher studies and to make available to them books

at affordable prices ;

(e) to conduct vocational and educational training

courses and research in the field of the book

publishing, translation of books into Sinhala and

Tamil languages and distribution of books in

Sri Lanka and to provide an opportunity to use the

worldwide web pages on the internet by opening

islandwide centres for such purpose ;

(f) to provide educational aids, books and magazines

to the poor and to the destitute ;

(g) to assist financially by granting scholarships or

otherwise to voluntary workers and others who are

engaged in the attainment of the objects of the

Corporation ;

(h) to work in co-operation with other associations,

societies or organizations having objects similar to

those of the Corporation ; and

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(i) 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.

4. Where any publication or other printed educational Prior approval to

matter published or introduced through electronic media for print and

distribute

the advancement of the objects of the Corporation under

educational

section 3, is sought to be distributed islandwide or made material.

available to students, the Corporaton shall obtain the prior

written approval of the Educational Publications Department

established under the Ministry of Education.

5. (1) The administration and management of the affairs Management of

of the Corporation shall, subject to the provisions of this Act the affairs of the

Corporation.

and rules of the Corporation made under section 7, be vested

in the Executive Committee (hereinafter referred to as the

“Committee”) consisting of a President, a Secretary and two

other office bearers and such other persons as may be provided

for in such rules and elected in accordance therewith.

(2) In the event of any vacancy arising in the Committee

due to resignation, removal or death of any office bearer, such

vacancy shall be filled according to rules of the Corporation.

(3) The first Committee of the Corporation shall consist of

the members of the Executive Committee of the Foundation

holding office on the day preceding the date of

commencement of this Act.

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

written law, the Corporation shall have the power— Corporation.

(a) to borrow or raise money for the purposes of the

Corporation ;

(b) to make, draw, accept, discount, endorse, negotiate,

buy, sell and issue bills of exchange, cheques,

promissory notes and other negotiable instruments

and to open, operate, maintain and close bank

accounts ;

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(c) to invest any funds not immediately required for the

purpose of the Corporation, in such manner as the

Committee may think fit ;

(d) to solicit and receive subscriptions, grants, donations

and gifts of all kinds ;

(e) to enter into agreements or contracts with any person,

or body of persons ;

(f) to appoint, employ, dismiss or terminate the services

of agents, officers and servants of the Corporation

and to pay them such salaries, allowances and

gratuities as may be determined by the Corporation;

(g) to appoint sub-committees to carry out the objects

of the Corporation ; and

(h) to do all such other acts and things as are necessary

or expedient for the accomplishment of the objects

of the Corporation.

Rules of the 7. (1) It shall be lawful for the Corporation from time to

Corporation.

time at any general meeting of the Corporation and by a

majority of not less than two-thirds of the members present

and voting, to make rules which are not inconsistent with the

provisions of this Act or any 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, resignation, vacation or removal of

office bearers ;

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

bearers, agents and officers and servants of

the Corporation;

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(d) the procedure to be observed at, the summoning

and holding of meeting of the Corporation and any

sub-committee, the times, places, notice and agenda

of such meetings, the quorum therefore and the

conduct of business thereat ;

(e) the administration and management of the property

of the Corporation and the custody of its funds ;

(f) generally for the management of the affairs of the

Corporation and the accomplishment of its objects.

(2) Any rule of 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) All members of the Corporation shall be subject to the

rules of the Corporation.

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

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

movable or

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

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 made under section 7, shall have full

power to sell, mortgage, lease, exchange or otherwise dispose

of the same.

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

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

the Foundation.

shall be paid 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

for the purpose of this Act.

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

monies heretofore or hereafter received by way of gift, bequest, Corporation.

testamentary disposition, transfer, contribution, donation,

subscription, 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 Committee shall determine.

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

incurred by the Corporation in the exercise, performance and

discharge of the powers, duties and functions under this Act.

Audit and 11. (1) The financial year of the Corporation shall be

Accounts. the calendar 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 who shall be an associate member of the

Chartered Institute of Sri Lanka and appointed by the

Corporation for that purpose.

Property 12. If upon the dissolution of the Corporation there

remaining on remains after the satisfactions 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

the distribution of any income or profit among its or their

members. Such association or associations shall be determined

by the members of the Corporation at or immediately before

the time of dissolution of the Corporation.

Application of 13. The land and property of the Corporation howsoever

land and derived, shall be applied solely towards the promotion of its

property of the

Corporation. objects as set forth herein and no portion thereof shall be

paid or transferred directly or indirectly by way of dividend

or profits, to the members of the Corporation.

Limitation of 14. No member of the Corporation shall for the purpose

liabilites 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 payable as membership fees as may be

due from him to the Corporation.

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15. (1) The seal of the Corporation shall be in the custody Seal of the

Corporation.

of the Secretary and may be altered in such manner as may be

determined by the Committee.

(2) The seal of the Corporation shall not be affixed to any

instrument whatsoever, except in the presence of the President

and 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.

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

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

Republic and

corporate.

others.

17. 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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