

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

FOUNDATION FOR CIVILIAN BRAVERY

(INCORPORATION) ACT, No. 4 OF 2009

[Certified on 16th February, 2009]

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(Incorporation) Act, No. 4 of 2009

[Certified on 16th February, 2009]

L.D.O.—(INC) 12/2006

AN ACT TO INCORPORATE THE FOUNDATION FOR CIVILIAN BRAVERY

WHEREAS a Foundation called and known as “Foundation Preamble.

for Civilian Bravery” has heretofore been established in1993

for the purpose of effectually carrying out and transacting all

objects and matters connected with 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 established and has applied to

be incorporated and it is now desirable and expedient that

the said Foundation should be incorporated and it will be for

the public advantage to grant such application :

BE it enacted by the Parliament of the Democratic Socialist

Republic of Sri Lanka as follows :—

1. This Act may be cited as the Foundation for Civilian Short title.

Bravery (Incorporation) Act, No. 4 of 2009.

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

the Foundation

such and so many persons as now are members for the

for Civilian

Foundation for Civilian Bravery (hereinafter referred to as Bravery.

“the Foundation”), or shall hereinafter be admitted 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

“Foundation for Civilian Bravery” 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.

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

established are hereby declared to be — of the

Foundation.

(a) to foster and promote respect for the protection of

Life;

2—PL 003283—3,200 (09/2008)

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(b) to recognize and reward nationally and

internationally the voluntary act of any Civilian to

save life and on public property, at the risk of his life;

(c) the promotion of safety measures for the protection

of life ;

(d) the advancement of education, knowledge and

training on the various forms of dangers or

misfortunes to Life and avoidance of them ;

(e) to create awareness of various dangers to life and of

safety methods and techniques ;

(f) to promote activities in the sphere of protection of

life and Civilian Bravery ;

(g) to apply and promote measures against cruelty to

human and non human life ;

(h) to be the catalyst to establish an international

organization to pioneer the concept of World Civilian

Bravery and protection of life ;

(i) to establish and maintain contact with international

organizations having the same or similar objects for

promoting Civilian Bravery and prevention of

misfortunes and arrange international training,

educational camps on misfortunes of mankind and

its avoidance ;

(j) to honour Civilian Bravery in protecting life ; and

(k) to engage in and promote cultural activities and media

exposures that help further the concept of Civilian

Bravery and methods of life saving.

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

of the

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

Corporation.

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 one of

them including the power to open, operate and close bank

accounts, to borrow and raise moneys with or without

security, to receive or collect grants and donations from

persons in or outside Sri Lanka, to invest its funds and to

engage, employ and dismiss officers and servants for the

purpose of carrying out of the objects of the Corporation.

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

the affairs of the

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

Corporation.

administered by an Executive Council consisting of the

President, the Honorary Secretary, Honorary Treasurer and

not less than two other members nominated by the President

in accordance with the rules of the Corporation, made under

section 6 of this Act.

(2) The first Executive Council of the Corporation shall

be the members of the Executive Council of the Foundation

holding office on the day preceding the date of

commencement of this Act.

(3) Notwithstanding anything contained in subsection (1),

the founder President shall be the President of the Corporation.

(4) Where the post of President becomes vacant after

founder President, the next or nearest of kin of his family

shall be the President of the Corporation.

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

Corporation.

time, at any general meeting 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 :—

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(a) classification of membership, fees payable by such

class of members and their admission, withdrawal

or expulsion of resignation ;

(b) the election of members of the Executive Council

and the office-bearers, resignation or removal from,

or vacation of, office of, members of the Executive

Council powers, duties and conduct of the members

of the Executive Council, the appointment, powers,

duties, functions and conduct of the various officers,

agents and servants of the Corporation ;

(c) the procedure to be observed at, and the summoning

and holding of meetings of, Executive Council and

the Corporaion, filling vacancies, notices and

agenda of such meetings the quorum therefor and

the conduct of business thereat ;

(d) the qualifications and disqualifications for

membership in the Executive Council and the

Corporation ;

(e) the administration and management of the property

of the Corporation ; and

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

Corporation and the dissolution of the Corporation.

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

altered or rescinded at a like meeting and in like manner as a

rule made under subsection (1) of this section.

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

rules of the Corporation made under this section.

Fund of the 7. (1) The Corporation shall have its own fund and all

Corporation. moneys received by way of testamentary dispositions,

transfers, donations, contributions or fees shall be deposited

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

Executive Council shall determine.

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(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.

(3) The moneys of the Corporation shall be applied solely

towards the promotion of the objects as set forth herein and

no portion thereof shall be paid or transferred directly or

indirectly by way of dividend, bonus or otherwise howsoever

to the members of the Corporation.

8. (1) The financial year of the Corporation shall be the Accounts and

audits.

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.

(4) In this section “qualified auditor ” means —

(a) an individual who being a member of the Institute

of Chartered Accountants of Sri Lanka, or of any

other Institute established by law, possesses a

certificate to practice as an Accountant issued by

the Council of such Institute ; or

(b) 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 to practice

as an Accountant issued by the Council of such

Institute.

9. The Seal of the Corporation shall be in the custody of Seal of the

Corporation.

the Secretary and it shall not be affixed to any instrument

whatsoever except in the presence of two office bearers of

the Corporation designated by the rules in force, who shall

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sign their names on the instrument in token of their presence,

and such signing shall be independent of the signing of any

person as a witness.

Register of 10. (1) The Council shall cause to be kept, a register of

Membership. members in which every person on the day preceding the

date of commencement of this Act is a member of the Centre

and every person thereafter duly admitted as a member of the

Corporation shall have his name inscribed.

(2) The register shall contain the following particulars :—

(a) the name, address and occupation of each member

of the Corporation;

(b) the date on which the name of the member was

inscribed in the register;

(c) the date on which any person ceased to be a member.

Debts due by 11. All debts and liabilities of the Association existing

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

the Association.

shall be paid and discharged by the Corporation, all debts

due to, subscriptions and contributions payable to the

Association on the day shall be paid to the Corporation for

the purposes of this Act.

Corporation may 12. The Corporation shall be able and capable in law, to

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

movable and

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

immovable.

gifts, 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, made

under section 6 with full power to sell, mortgage, lease,

exchange or otherwise dispose of the same.

Limitation of 13. No member of the Corporation shall, for the purpose

liability 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 of such membership fees as may be

due from him to the Corporation.

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14. 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 some other 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 its members.

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

rights of the

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

Republic.

corporate.

16. 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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