

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

CANCER RESEARCH FOUNDATION OF

SRI LANKA (INCORPORATION)

ACT, No. 67 OF 2009

[Certified on 17th November, 2009]

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L.D.—O. (INC.) 3/2005.

ANACT TO INCORPORATE THECANCER RESEARCH FOUNDATION OF

SRI LANKA

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

Research Foundation of Sri Lanka” has heretofore been

established 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 Board of Management of the said

Foundation has heretofore successfully carried out and

transacted the several objects and matters for which the said

Foundation was established, and has applied to 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 Cancer Research Short title .

Foundation of Sri Lanka (Incorporation) Act, No.67

of 2009.

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

the Cancer

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

Research

Cancer Research Foundation of Sri Lanka (hereinafter referred Foundation of

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

members of the corporation hereby constituted shall be a

body corporate with perpetual succession, under the name

and style of the Cancer Research Foundation of Sri Lanka

(hereinafter referred to as the “Corporation”) and by that

name may sue and be sued and shall have full power and

authority to have and to use a common seal and to alter the

same at its discretion

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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 accept ethically approved research proposals on

oncology from clinicians practicing in Sri Lanka

and to promote and fund such researches under the

guidance and observations of the Board of

Management;

(b) to grant financial support to persons or organizations

involved in cancer research in Sri Lanka to carry out

researches; and

(c) to grant financial assistance to cancer patients who

are in need of such assistance.

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

the affairs of the provisions of this Act and the rules to be made under section 6,

Corporation.

be administered by a Board of Management consisting of

the Chairman and not less than four members of the

Corporation who shall have qualifications and experiance in

the field of medicine or science.

(2) The first Board of Management of the Corporation

shall be the Board of Management of the Foundation holding

office on the day immediately preceding the date of

commencement of this Act.

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

of the

written law, the Corporation shall have the power to—

Corporation.

(a) utilize the funds belonging to the Corporation in

order to achieve the objects of the Corporation, in a

manner determined by the Board of Management;

(b) open, maintain and close bank accounts in any bank

or banks as may be determined by the Board of

Management;

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(c) employ and dismiss officers and servants required

for the carrying out of the objects of the

Corporation; and

(d) do all other acts and things as are incidental or

conducive to the attainment and furtherance 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 or at a Special General Meeting Corporation.

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 election of the office bearers, their term of office,

resignation from, or vacation of, or removal from

office and their powers and duties;

(b) the election and the terms of office of members of

the Board of Management other than the office

bearers, and the powers and duties of the Board of

Management;

(c) the administration and management of the property

of the Corporation, the custody of its funds and the

maintenance and audit of its accounts;

(d) the procedure to be followed at any meeting of the

Board of Management and the quorum therefor and

the conduct of business thereat; and

(e) the management of the affairs of the Corporation

and the accomplishment of its objects.

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

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

manner, as laid down in subsection (1).

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

the rules of the Corporation.

Corporation may 7. Subject to the provisions of this Act, the Corporation

hold movable

shall be able and capable in law to acquire and hold any

and immovable

property. property both movable and immovable by way of 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 the same.

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

Corporation.

monies heretofore received or hereafter to be received by

way of gift, bequest, donation, subscription, contribution or

grants on behalf of the Corporation shall be deposited to the

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

the Board of Management may determine.

(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.

Expenses to be 9. (1) Any expenses incurred by the Corporation in any

paid out of the

suit or prosecution brought by or against the Corporation

Fund.

before any court, shall be paid out of the Fund of the

Corporation and any costs paid or recovered by the

Corporation in any such suit or prosecution shall be credited

to the Fund of the Corporation.

(2) Any expenses incurred by any member, officer or any

servant of the Corporation in any suit or prosecution brought

by or against such person before any court in respect of any

act or omission which is done or purported to be done by

such person in good faith for the purpose of carrying out the

provisions of this Act shall, if the court holds that such Act or

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omission was done in good faith, be paid out of the Fund of

the Corporation, unless such expenses are recovered by him

in such suit or prosecution.

10. (1) The Corporation shall cause proper accounts to Audit of

be kept of all income and expenditure, assets and liabilities accounts.

and all other transactions of the Corporation.

(2) The Accounts of the Corporation shall be audited by

a qualified auditor appointed by the Board of Management.

(3) For the purposes of 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.

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

any instrument except in the presence of the Chairman and Corporation.

two members of the Corporation as may be decided by the

Board 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.

12. If upon the dissolution of the Corporation there Property

remains any property after the satisfaction of all debts and remaining on

dissolution.

liabilities, any property whatsoever shall not be distributed

among members of the Corporation, but shall be given or

transmitted to some other institution or institutions having

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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. Such institution or

institutions may be determined by the Board of Management

on or before the dissolution of the Corporation.

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

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

Republic and

corporate.

others.

Sinhala text to 14. 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.

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