

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

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GRASSROOTS FOUNDATION

(INCORPORATION) ACT, NO. 77 OF 2009

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[Certified on 29th December, 2009]

Printed on the Order of Government

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Grassroots Foundation (Incorporation) 1

Act, No. 77 of 2009

[Certified on 29th December, 2009]

L. D. —O. Inc. 27/2008

ANACT TOINCORPORATE THE GRASSROOTS FOUNDATION

WHEREAS an association called and known as the Preamble.

“Grassroots Foundation” has heretofore been established in

Sri Lanka for the purpose of effectually carrying out its

objects and transacting all 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

the said 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 Grassroots Foundation Short title.

(Incorporation) Act, No. 77 of 2009.

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

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

“Grassroots Foundation” (hereinafter referred to as the Grassroots

Foundation.

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

the Corporation hereby constituted shall be a body corporate

with perpetual succession under the name and style of the

Grassroots 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 pleasure.

3. The objects for which the Coperation is constituted General objects

are hereby declared to be— of the

Corporation.

(a) To protect individual and collective civil rights, civil

liberty and dignity of people irrespective of religion,

race, caste, creed, color and social standing;

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(b) to educate the poor and marginalized people at

grassroot level on civil rights, fundamental duties

and entitlements of the citizens of Sri Lanka;

(c) to promote economic development and social

upliftment of the poor and marginalized people at

grassroot level by organizing various skill

development programmes and creating various

employment oriented programmes;

(d) to promote peace, social justice, racial equality,

religious harmony, mutual trust and respect

amongst people of all races and religious faiths by

organizing various educational and awareness

programmes;

(e) to encourage people to foster their mother tongue,

cultural values, good customs and traditions;

(f) to promote the right to information among urban

and rural poor by providing training in computers

and computer technology and various other

ifnormation technology programmes;

(g) to introduce training programmes to enhance

communication skills and technological skills of

poor and needy;

(h) to work in close association with Governmental

and Non-Governmental Organizations, religious

bodies, cultural groups, International organizations

and other institutions and organizations in order to

achieve the objects of the Corporation.

(2) The Corporation shall ensure that the implementation

of the objects of the Corporation shall be carried out without

any distinction based on race, religion, language, caste, sex

or political opinion.

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

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

perform and execute all such acts and matters as are necessary

or desirable for the promotion or furtherance of the objects

of the Corporation or any one of them, including the power—

(a) to purchase, acquire, rent, construct and otherwise

obtain lands or buildings which may be required

for the pruposes of the Corporation;

(b) to raise funds and receive grants, gifts or donations

in cash or kind;

(c) 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 accounts

in any bank;

(d) to enter into contracts partnerships or agreements

with any Govrnmental or non Governmental

organizations or any other person or institution

whether in Sri Lanka or abroad;

(e) to invest any funds that are not immediately required

for the purposes of the Corporation, in such manner

as the Board of Management may determine;

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

of officers and servants of the Corporation and

exercise disciplinary control over them and to pay

them such salaries, allowances and gratuities as may

be determined by the Corporation;

(g) to train personnel in Sri Lanka or abroad for the

purposes of the Corporation; and

(h) to do all other things as are necessary or expedient

for the proper and effective carrying out of the

objects of the Corporation.

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Corporation 5. Subject to the provisions of this Act, the Corporation

may hold shall be able and capable in law to take and hold any property,

property

movable or immovable, which may become vested in it by

movable and

immovable. virtue of any purchase, grant, gift, testamentary disposition

or otherwise, and all such property shall be held by the

Corporation for the purpose of the Act and subject to the

rules of Corporation, made under section 7, with power to

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

same.

Management of 6. (1) The management and administration of the affairs

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

Corporation.

be administered by a Board of Management consisting of

such number of office bearers elected in the manner as may

be provided by the rules of the Corporation made under

section 7.

(2) The first Board of Management of the Corporation

shall consist of the members of the Board of Management of

the Foundatin who hold office on the day immediately

preceding the date of commencement of this Act.

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

Corporation. 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, not inconsistent with the provisins of this Act

or any other written law, for all or any of the following

matters:—

(a) the classificatin of membership, admission,

withdrawal, expulsion or resignation of members

and fees payable by the members;

(b) the election of office bearers of the Board of

Management or vacation of or removal from office

and the powers, duties and functions of the office

bearers;

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

the terms and conditions of the various officers,

agents and servants of the Corporation;

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(d) the procedure to be followed at the summoning

and holding of meetings of the Board of

Management, the Corporaiton or any sub-

committee thereof, filling of vacancies, notices and

agenda of such meetings, the quorum and the

conduct of business thereat;

(e) the qualifications and disqualifications for members

of the Board of Management and the Corporation;

and

(f) the administration and management of the property

of the Corporation for the accomplishment of the

objects of the Corporation

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

altered, added to or resicned 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 at all times be

subject to the rules of the Corporation made under this

section.

8. (1) The Corporation shall have its own fund. Found of the

Corporation.

(2) All moneys received by way of gift, berquest, donation,

subscription, contribution, fess or grnat for and on account

of the Corporation shall be deposited in one or more banks

approved by the Board of Management to the credit of the

Corporation.

(3) There shall be paid out of the Fund, all sums of money

as are required to defray any expenditure incurred by the

Corporation in the exercise, performance and discharge of

its powers, duties and functions under the Act.

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

Auditing.

calendar year.

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(2) The Corporation shall cause proper accounts to be

kept of its income and expenditure, assets and liabilities

and all other transactins of the Corporaitn.

(3) The accounts of the Corporatin shall be audited

annually by a qualified auditor appointed by the Board of

Management.

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

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

of Chartered Accounts of Sri Lanka or of any other

Institute established by law, who possesses a

certificate to practise 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, who possesses a certificate to

practise as an Accountant, issued by the Council of

such Institute.

Debts due by 10. All debts and liabilities of the Foundation existing

and payable to on the day immediatley preceding the date of commencement

the Foundation.

of this Act shall be paid by the Corporation hereby constituted

and all debts due to and subscription and contributions

payable to the Foundation on that day shall be paid to the

Corporation for the purposes of this Act.

Limitatin of 11. No member of the Corporaitn shall, for the purpose

liability of

of discharging the debts and liabilities of the Corporaitn, or

members.

for any other purpose, be liable to make any contribution

exceeding the amount of such membership fees as may be

due from time to time to the Corporation.

Property 12. If upon the dissolution of the Corporation there

remaining on 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

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be given or transferred to some other institution or

institutions having objects similar to those of the

Corporation, and which is or are by the rules prohibited

from distributing any income or property among its or their

members.

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

any instrument whatsoever, except in the presence of two Coporation.

members of the Board of Management of the Corporation

and 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.

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

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

Republic.

corporate.

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

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

case of

inconsistency.

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