

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

HAMPTON VILLAGE SRI LANKA TRUST

(INCORPORATION) ACT, No. 3 OF 2010

[Certified on 09th February, 2010]

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Hampton Village Sri Lanka Trust 1

(Incorporation) Act, No. 3 of 2010

[Certified on 09th February, 2010]

L.D.—O. (Inc.) 21/2007.

ANACT TO INCORPORATE THE HAMPTON VILLAGE SRI LANKA TRUST

WHEREAS a Trust called and known as “The Relief Fund Preamble.

Hampton Sri Lanka Trust” has heretofore been established in

Sri Lanka for the purpose, inter alia, of constructing model

village to be named as the “Hampton Village- Sri Lanka” for

the Tsunami victims in Sri Lanka in the District of Galle

according to the rules agreed to by its members:

AND WHEREAS the Board of Trustees of the said Trust has

applied for the incorporation of the said Trust and it will be

to the public advantage to Grant the 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 Hampton Short Title.

Village Sri Lanka Trust (Incorporation) Act, No. 3 of 2010.

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

the Hampton

such and so many persons as are now members of “The Relief

Village Sri Lanka

Fund Hampton Sri Lanka Trust” (hereinafter referred to as Trust.

“The Relief Fund Hampton Sri Lanka Trust”) or shall hereafter

be admitted as members of the Corporation hereby constituted

shall be a body corporate (hereinafter referred to as the

“Corporation”) with perpetual succession and a common seal

under the name and style of The Hompton Village Sri Lanka

Trust and by that name may sue and be sued, with full power

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

the same at its pleasure.

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

constituted are hereby declared to be— of the

Corporation.

(a) to construct a model Village named Hampton

Village-Sri Lanka consisting of fifty houses, a

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community centre including a play ground, place

of worship, facilities for the sale of necessaries and

groceries and other buildings or structures that may

be required for the said village;

(b) to take all necessary measures for the maintenance,

improvement and management of the said village;

(c) to promote cultural relationships between the

residents of Hampton Village Sri Lanka and the

residents in Hampden Middlesex, England;

(d) to advance the education and training of students

and yong persons in particular of those residents in

the Village;

(e) to promote the economic, social and cultural

advancement, in particular of those residents in the

Village.

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

the affairs of the

Corporation. the rules of the Corporation to be made under section 6, be

administered by a Board of Directors (hereinafter referred to

as the “Board”) consisting of the Chairman, Vice Chairman

and other office bearers elected or appointed in accordance

with the rules of the Corporation.

(2) The first Board shall consist of the members of the

Board of Trustees of the Relief Fund Hampton Sri Lanka

Trust on the day immediately preceding the date of

commencement of this Act.

(3) The members of the Board shall act purely in an

honorary capacity and shall not be entitled to receive any

remuneration by way of salary, allowance or honorarium,

but shall be re-imbursed for expenses actually incured by

them in the performance of their duties.

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(4) A person shall be disqualified from being appointed

or continuing in office as amember of the Board, if he :—

(a) is a person who having been declared an insolvent

or bankrupt under any law in force in Sri Lanka, or

any other country, is an undercharged insolvent or

bankrupt;

(b) is convicted of an offence involving moral

turpitude;

(c) is under any law in force in Sri Lanka found or

declared to be of unsound mind or mentally

deficient;

(d) is absent from Sri Lanka for a continuous period

exceeding one year without perviously obtaining

the consent of the Board; or

(e) neglects or fails to act as a Director.

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

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

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:—

(a) acquire, hold, take or give on lease or hire, mortgage,

pledge, sell, exchange, or otherwise alienate or

dispose of any immovable property for the purpose

of the Corporation;

(b) enter into and perform or carry out, whether

directly or through any officer or agent authorized

in that behalf by the Corporation, all such contracts

or agreements as may be necessary for the attainment

of the objects or the exercise of the powers of the

Corporation;

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(c) accept gifts, donations and bequests in cash or in

kind;

(d) invest its funds, and to maintain current deposits

and savings accounts in any bank;

(e) borrow or invest money for the pusposes of the

Corporation in such manner and upon such security

as the Corporation may think fit; and

(f) appoint, employ, transfer, exercise disciplinary

control over and dismiss officers and servants

required for the carrying out of the objects of the

Corporation.

Rules of the 6. (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 not inconsistent with the

provisions of this Act or other written law on all or any of the

following matters :—

(a) the classification of members and membership

and the admission, withdrawal or expulsion of

members ;

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

vaction of, or removel from office and their powers

and duties ;

(c) the election of members to the Board and its powers

conduct and duties ;

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

officers, agents and servants of the Corporation ;

(e) the procedure to be observed at meetings of the

Board or the summoning and holding of meetings

of the Board, the time, places, notices and agenda

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of such meetings and the quorum therefore and the

conduct of business thereat ; and

(f) the administration and management of the property

of the Corporation and the custody of its funds.

(2) Any rule made by 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) The members of the Corporation shall at all times be

subject to the rules of the Corporation.

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

Corporation.

moneys heretofore or hereafter received by way of gifts,

testamentary dispositions, transfers, donations, subscriptions,

contributions, fees or grants or any financial investment shall

be deposited to the credit of the fund of the Corporation in

one or more Banks as may be determined by the Board.

(2) All expenses incurred by the Corporation in exercising

and discharging its powers and functions shall be paid out of

the fund.

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

the calendar year. Accounts.

(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 appointed by the Board.

(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

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established by law, possesses a certificate

to practice as an accountant issued by

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

such Institute.

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

Corporation.

the Secretary and shall not be affixed to any instrument

whatsoever except in the presence of the President and the

Secretay of the Corporation or such other person duly

authorized by the Board who shall 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.

Debts due by 10. All debts and liabilities of the Relief Fund Hampton

and payable to

the Trust. Sri Lanka Trust existing on the day preceding the date of

commencement of this Act shall be paid by the Corporation

hereby constituted and all debts due to, subscriptions and

contributions payable to the Relief Fund Hampton Sri Lanka

Trust on that day shall be paid to the Corporation for the

purpose of this Act.

Limitation of 11. No member of the Corporation shall, for the purpose

Liabilitiy 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.

Application of 12. The moneys and property of the Corporation

moneys and

property. howsoever derived shall be applied solely towards the

promotion of its objects as set forth herein and no portion

thereof shall be paid or transferred directly or indirectly by

way of dividend, bonus, profit or otherwise howsoever to the

members of the Corporation.

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

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

property

property, movable or immovable, which may become vested movable and

in it by virtue of any purchase, grant, gift, testamentary immovable.

disposition or otherwise, and all such property shall be held

by the Corporation for the purposes of the Corporation 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.

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 association or

associations having objects similar to the objects of the

Corporation, and which is, or are by the rules thereof

prohibited from distributing 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.

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

rights of the

affect the rights of the Republic or any body politic or

Repubilc and

corporate. others.

16. In the event of any inconsistency between the Sinhala Text to

Sinhala and Tamil text of this Act, the Sinhala text shall prevail in case of

inconsistency.

prevail.

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