

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

PINA ORGANISATION (INCORPORATION)

ACT, NO. 25 OF 2011

[Certified on 03rd May, 2011]

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L. D.—O. (Inc.) 8/2010.

ANACT TO INCORPORATE THE PINA ORGANISATION

WHEREAS an Organisation called and known as the “Pina Preamble.

Organisation” has heretofore been formed in Sri Lanka, for

the purpose of effectually carrying out its objects and

transacting all matters connected with the said Organisation

according to the rules agreed to by its members:

AND WHEREAS the said Organisation has heretofore

successfully carried out and transacted 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 Pina Organisation Short title.

(Incorporation) Act, No. 25 of 2011.

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

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

Organisation.

Organisation” (hereinafter referred to as the “Organisation”)

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

under the name and style of the “Pina Organisation” 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. (1) The general objects for which the Corporation is General objects

constituted are hereby declared to be— of the

Corporation.

(a) to donate modern hospital equipments to hospitals;

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(b) to encourage and assist students faced with financial

difficulties in pursuing higher education;

(c) to assist students of low income groups or students

who have lost one or both parents, in pursuing higher

education;

(d) to provide relief to the poor and destitute who require

heart surgery, transplantation of kidney and cancer

surgery and to provide assistance for treatments;

(e) to establish and maintain orphanages and homes

for the aged and to establish social welfare centers

in accordance with such written laws as are for the

time being in force;

(f) to provide welfare facilities for the deaf, dumb and

the blind and disabled persons and to establish

welfare homes in accordance with such written laws

as are for the time being in force;

(g) to provide wheelchairs, crutches and spectacles for

the poor and destitute;

(h) to assist low income groups in the construction or

completion of houses;

(i) to assist in the development of agriculture in rural

areas by providing agricultural machinery, tractors,

hand tractors, lands and vehicles;

(j) to print, publish and distribute books, journals,

leaflets, newspapers and magazines and to establish

and maintain libraries;

(k) to promote, organize and maintain exhibitions,

discussions, workshops, debates and tours which

the Corporation may consider desirable for the

promotion and achievement of its objects;

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(l) to collaborate and work with other societies, or

organizations, having similar objects;

(m) to reduce and eliminate suicidal tendencies by

means of community projects and education.

(2) In the implementaiton of the objects specified in

subsection (1) the Governing Council shall ensure to the

greatest extent possible that such implementation shall be

carried out without any distinction based on race, religion,

language, caste, sex, political opinion or place of birth.

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

rules of the Corporation made under section 6, be the affairs of the

Corporation.

administered by a Governing Council (hereinafter referred to

as the “Council”) consisting of the President, Vice Presidents

and other office-bearers elected or appointed in accordance

with the rules of the Corporation.

(2) The first Council of the Corporation shall consist of

the members of the Governing Council holding office on the

day immediately preceding the date of commencement of

this Act.

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,

encumber or dispose of any immovable property for

the purposes of the Corporation;

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

or through any officer or agent authorized in that

behalf by the Corporation, all such contracts or

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agreements as may be necessary for the attainment

of the objects or the exercise of the powers of the

Corporation;

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

kind;

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

and savings accounts in any bank;

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

Corporation in such manner and upon such security

as the Corporaiton 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 any other written law on all or any of the

following matters:—

(a) the classification of membership and the

adminission, withdrawal or expulsion of members;

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

or vacation of or removal from office of office-

bearers and their powers and duties;

(c) the election of members of the Council and its

powers, conduct and duties;

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

various officers, agents and servants of the

Corporation;

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(e) the procedure to be observed or the summoning and

holding of meetings of the Council, the time, places,

notices and agenda 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

moneys heretofore or hereafter received by way of gifts, Corporation.

testamentary dispositions, transfers, donations, subscriptions,

contributions, fees or grants or any financial investment shall

be deposited to the credit of the Corporaiton in one or more

Banks as may be dtermined by the Council.

(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 the Audit and

calendar year. Account.

(2) The Corporation shall cause proper accounts to be

kept of its income and expenditutre, 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 Council.

(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

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other institute 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

Secretary of the Corporation or such other person duly

authorized by the Council 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 said Organisation

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

the Organisation.

of this Act shall be paid by the Corporation hereby constituted

and all debts due to, subscriptions and contributions payable

to the Organisation 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

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.

Application of 12. The moneys and property of the Corporation however

moneys and derived shall be applied solely towards the promotion of its

property.

objects as setforth 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 may

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

movable and

property, movable or immovable, which may become vested

immovable.

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

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 debts and liabilities, any remaining on

dissolution.

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 contained in this Act 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.

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

prevail in case of

Sinhala and the Tamil texts of this Act, the Sinhala text shall inconsistency.

prevail.

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