

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

SRI DHAMMALANKARA SOCIAL SERVICES

FOUNDATION (INCORPORATION)

ACT, NO. 51 OF 2011

[Certified on 16th December, 2011]

Printed on the Order of Government

Published as a Supplement to Part II of the Gazette of the Democratic

Socialist Republic of Sri Lanka of December 16, 2011

PRINTEDATTHE DEPARTMENTOFGOVERNMENTPRINTING,SRILANKA

TO BEPURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 5.00 Postage : Rs. 10.00

Sri Dhammalankara Social Services Foundation 1

(Incorporation) Act, No. 51 of 2011

[Certified on 16th December, 2011]

L. D.—O.(Inc.) 3/2008.

ANACT TO INCORPORATE SRI DHAMMALANKARA SOCIAL SERVICES

FOUNDATION

WHEREAS a Foundation called and known as the Preamble.

“Sri Dhammalankara Social Services Foundation” has

heretofore been formed 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:

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 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 Sri Dhammalankara Social Short title.

Services Foundation (Incorporation) Act, No. 51 of 2011.

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

Sri

such and so many persons as now are members of the

Dhammalankara

Sri Dhammalankara Social Services Foundation (hereinafter Social Services

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

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

“Sri Dhammalankara Social Services Foundation” and by

that name may sue and be sued in all courts with full power

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

same at its pleasure.

2 —PL 005264—3090 (10/2010)

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General objects 3. (1) The general objects for which the Corporation is

of the constituted are hereby declared to be—

Foundation.

(a) to maintain Sri Jayasumanaramaya of Alakolamada,

the Sri Dhammadhara Pirivena, Sri Dhammadhara

Dhamma School and the Ruwan Children’s Park

affiliated to the Foundation;

(b) to construct and repair houses of the needy in the

area;

(c) to grant financial assistance for the treatment of

persons and to build, establish and provide clinics

for the treatment of such persons;

(d) to promote the cultural, social, economic and

religious development for the public advantage;

(e) to grant assistance for the opening of libraries and

for the conduct of study courses and provide

facilities to promote the education of children;

(f) to provide sports materials and other facilities for

the promotion of sports skills of the youth;

(g) to provide homes for the needy and indigent elders

and disabled and orphaned children;

(h) to provide relief and welfare services to persons

during natural disasters;

(i) to award scholarships for higher education in foreign

countries to youth, in the fields of technology,

science and engineering;

(j) to provide recreational facilities for the needy ; and

(k) to provide industrial training for the youth.

(2) In the implementation of the above objects the

Corporation shall ensure that such implementation is carried

out without distinction baded on race, cast, religion,

language, sex or political opinion.

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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 furtherance

of its objects or any one of them, including the power to

open and close bank accounts, to borrow or raise money

with or without security, to receive or collect grants or

donations, to invest its funds and to engage, employ and

dismiss officers and servants required for the carrying out of

the objects of the Corporation.

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

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

of the

administered by a Board of Management. The Board of Corporation.

Management shall consist of the Chief Incumbent of the

Sri Dhammalankara Social Service Foundation who shall

be the Director-General (hereinafter referred to as the

“Director-General”) and the Chairman, the Secretary and

the Treasurer and such other committee members who may

be elected in accordance with the rules of the Corporation

under section 6.

(2) The Director-General shall preside at every meeting

of the Board of Management. In the absence of the Director-

General from any meeting of the Board of Management, the

Chairman shall preside at such meeting.

(3) Subject to the provisions of this Act and any rules

made thereunder, the Board of Management may regulate

the procedure in regard to its meetings and the transaction

of business at such meetings.

(4) No act or proceeding of the Board shall be deemed to

be invalid by reason only of the existence of a vacancy

among its members or any defect in the election or

nomination of a member thereof.

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(5) The first Board of Management of the Corporation

shall consist of the members of the Board of Management of

the Foundation, holding office on the day immediately

preceding the date of commencement of this Act.

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

Corporation. time, at any general meeting and by the votes of not less than

two-thirds of the members present and voting at such meeting

to make rules not inconsistent with the provisions of this Act

or any other written law, for the performance of the duties of

the Board and the various officers and servants of the

Corporation, for specifying the procedure to be followed in

the transaction of business at meetings of the Corporation

and of the Board of Management and otherwise generally,

for the management of the affairs of the Corporation and the

accomplishment of its objects.

(2) No rule of the Corporation shall be altered, added to,

amended or rescinded except by the votes of not less than

two-thirds of the members present and voting at a general

meeting of the Corporation.

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

rules of the Corporation.

Fund of the 7. (1) The Corporation shall have its own Fund. All

Corporation. monies received by way of gift, bequest, transfer, subscription,

contribution fees or donation shall be deposited to the credit

of the Corporation in one or more banks as the Board of

Management shall determine.

(2) There shall be paid out of the Fund of the Corporation,

all such sums of money as may be required to defray any

expenditure incurred by the Corporation in carrying out the

objects of the Corporation.

(3) The monies and property of the Corporation

wheresoever derived shall be applied solely towards the

promotion of the objects as set forth herein and no portion

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thereof shall be paid or transferred directly or indirectly by

way of dividend, bonus or otherwise, to any member of the

Corporation.

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

calendar year. accounts.

(2) The Corporation shall cause proper accounts to be

kept of all income and expenditure, assets and liabilities

and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited

annually by a qualified auditor appointed by the

Corporation.

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

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

shall be paid by the Corporation hereby constituted and all the Foundation.

debts due to and subscriptions and contributions payable to

the Foundation on this day shall be paid to the Corporation

for the purpose of this Act.

10. The Corporation shall be able and capable in law, Corporation

to take and hold any property movable or immovable which may hold

property

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

gift, testamentary disposition or otherwise and all such immovable.

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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.

Seal of the 11. The Seal of the Corporation shall be in the custody

Corporation. of the Board of Management and it shall not be affixed to

any instrument whatsoever, except in the presence of a

member of the Board of Management and the Secretary or

any other person authorized 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.

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

be given or transferred to some other institution having

objects similar to those of the Corporation and which is by

its rules prohibited from distributing any income or property

among its members.

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

rights of the

the rights of the Republic or of any body, politic or corporate.

Republic and

others.

Sinhala text to 14. In the event of any inconsistency between the Sinhala

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

inconsistency.

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GOVERNMENT INFORMATION, NO. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th

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