

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

THARUNYATA HETAK ORGANIZATION

(INCORPORATION) ACT, No. 7 OF 2011

[Certified on 23rd February, 2011]

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L.D.—O. (INC.) 9/2010.

ANACT TO INCORPORATE THE THARUNYATA HETAK ORGANIZATION

WHEREAS an Organization called and known as the Preamble.

“Tharunyata Hetak Organization” has heretofore been

created for the purpose of effectually carrying out and

transacting all objects and matters connected with the

said Organization according to the rules agreed to by its

members:

AND WHEREAS the said Organization 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 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 Tharunyata Hetak Short title.

Organization (Incorporation) Act, No. 7 of 2011.

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

the Tharunyata

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

Hetak

the Tharunyata Hetak Organization (hereinafter referred to Organization.

as “the Organization”) 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 “Tharunyata Hetak Organization”

(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 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 to— of the

Corporation.

(a) foster and promote mutual understanding, a spirit

of national consciousness, goodwill and friendship

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among the citizens of Sri Lanka and to promote

peace and harmony among the Sinhala, Tamil,

Muslim and Burgher youth in Sri Lanka;

(b) assist students who prepare for government

examinations by conducting lectures, seminars and

study tours;

(c) promote religious harmony, mutual understanding,

peaceful co-existence, spiritual development and

friendship among the people of Sri Lanka through

religious, cultural, social and economic interactions;

(d) assist needy students by providing them with books

and other equipment and school uniforms and to

grant scholarships to students who are in the

secondary and tertiary stage of their education;

(e) identify the talents of students at rural and

provincial levels in areas such as sports and music

and to encourage them to excel in them by

providing the infrastructure required therefor;

(f) identify projects suitable for young school leavers

and assist them in carrying out such projects with a

view to training such youth to meet the competitive

demands for future employment;

(g) assist youth financially and otherwise in order to

develop their personal skills and aptitude and to

enable them to take up self employment;

(h) assist differently abled youth in developing their

personality;

(i) conduct awareness programmes for youth in order

to promote a tobacco, alcohol and a drug free society

and build a healthy, disciplined, patriotic and

humane generation;

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(j) conduct programmes to discuss the problems faced

by the youth in different areas in Sri Lanka due to

lack of infrastructure facilities such as water,

housing and roads and provide amenities to such

needy youth;

(k) organize and mobilize youth in voluntary activities

in order to find solutions to shortcomings in

infrastructure;

(l) identify the health requirements of the youth in

rural and remote areas and to conduct medical

camps and clinics in such areas and through such

camps and clinics supply medicines to the needy;

(m) facilitate the exchange of youth delegations with

other international organizations having similar

objects with a view to building friendship and

understanding between Sri Lanka and other

countries; and

(n) assemble and unite all youth under this

Organization with a view to promoting national

harmony and peace within Sri Lanka;

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

written law, the Corporation shall have the power to— Corporation.

(a) open, operate and close bank accounts;

(b) borrow or raise money with or without security,

and to receive or collect grants and donations;

(c) invest any funds of the Corporation which are not

immediately required for the purpose of the

Corporation in a way that may be determined by

the Committee of Management;

(d) purchase, acquire, give on lease or hire,sell or

otherwise obtain any movable or immovable

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property which may be required for the purpose of

the Corporation and which may lawfully be

acquired for those purposes and to deal with or

dispose of the same, as it may deem expedient with

a view to promoting the objects of the Corporation;

(e) appoint, employ and dismiss the employees

required for the carrying out of the objects of the

Corporation and pay them such remuneration as

may be determined by the Corporation;

(f) 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

agreements as may be necessary for the attainment

of the objects or the exercise of the powers of the

Corporation; and

(g) appoint advisory councils, committees or sub

committees as and when necessary to carry out any

functions of the Corporation as may be determined

by the Committee of Management.

Management of 5. (1) The management, control and administration of

the Affairs of the affairs of the Corporation shall, subject to the provisions

the Corporation.

of this Act and the rules of the corporation made under section

6 of this Act, be administered by a Committee of Management

consisting of not less than five members.

(2) No act or proceeding of the Committee of Management

shall be deemed to be invalid by reason only of the existence

of a vacancy among its members or any defect on the election

or nomination of a member thereof.

(3) The first Committee of Management shall consist of

the members of the Committee of Management holding office

on the day immediately preceding the date of commencement

of this Act and shall continue to hold office until a new

Committee of Management is elected in accordance with

the rules made under section 6 of this Act.

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

Corporation.

time, at any general meeting by a majority of not less than

two-thirds of the members present 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 admission,

withdrawal or expulsion of members ;

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

from, vacation of or removal from office of office-

bearers, and their powers, conduct and duties;

(c) the election of the members of the Committee of

Management and its powers, duties and conduct

and the terms of office of members of the Committee

of Management;

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

officers, agents and servants of the Corporation;

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

and holding of meetings of the Committee of

Management, the times, places, notices and agenda

of such meetings, the quorum thereof and the

conduct of business thereat;

(f) the administration and management of the property

of the Corporation, the custody of its funds, and the

maintenance and audit of its accounts; and

(g) 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 or rescinded at a like meeting and in the like

manner, as a rule made under subsection (1).

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

the rules of the Corporation.

Register of the 7. The Secretary of the Committee of Management shall

Members of the keep and maintain a register containing the names of the

Corporation.

members of the Corporation.

Corporation 8. Subject to the provisions of this Act, the Corporation

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

movable and

property both movable and immovabe, which may become

immovable

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

disposition or othermwise, and all such property shall be

held by the Corporation for the purpose 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.

Fund of the 9. (1) The Corporation shall have its own fund and all

Corporation.

monies heretofore or hereafter to be received by way of gifts,

testamentary dispositions, grants, donations, contributions

or fees on behlf of the Corporation shall be deposited to the

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

as the Committee of Management may determine.

(2) The Corporation may establish a depreciation fund

or a sinking fund for the purpose of rehabilitation,

development or improvement of the property of the

Corporation.

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

to defray any expenditure incurred by the corporation in the

exercise, performance and discharge of its powers, duties

and functions under this Act.

(4) The financial year of the Corporation shall be the

calendar year.

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

and payable to

on the day preceding the date of commencement of this Act,

the

Organization. shall be paid and discharged by the Corporation hereby

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constituted and all debts due to, subscriptions and

contributions payable to the Organisation on that day shall

be paid to the Corporation for the purposes of this Act.

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

of discharging the debts and liabilities of the Corporation or Liability of

Members.

for any other purpose, be liable to make any contribution

exceeding the amount due from such member as membership

fees.

12. (1) The Corporation shall cause proper accounts to Accounts and

be kept of its income and expenditure, assets and liabilities Audits.

and all other transactions of the Corporation.

(2) The accounts of the Corporation shall be audited

by a qualified auditor.

(3) In this section, “qualified auditor ” means —

(i) 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

(ii) 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.

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

any instrument whatsoever, except in the presence of the Corporation.

President and the Secretary or two other members of the

Corporation as may be decided by the committee of

Management who shall sign their names to the instrument

in token of their presence and such signing shall be

independent of the singing of any person as a witness.

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Property 14. If upon the dissolution of the Corporation, there

remaining on remains any property whatsoever, after the satisfaction of all

dissolution.

debts and liabilities, 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 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 members of the Committee of

Management on or before the dissolution of the Corporation.

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

rights of the

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

Republic and

others.

Sinhala text to 16. 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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