PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

PIYA DASUNA FOUNDATION

(INCORPORATION) ACT, No. 19 OF 2012

[Certified on 06th August, 2012]

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L.D.– O. (Inc) 21/2011.

ANACTTO INCORPORATE THE PIYA DASUNA FOUNDATION

WHEREAS an Association called and known as the “Piya Preamble.

Dasuna 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

Foundation according to the rules agreed to by its members:

AND WHEREAS the said Foundation 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 “Piya Dasuna Foundation Short title.

(Incorporation)” Act, No. 19 of 2012.

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

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

Dasuna

Dasuna Foundation” (hereinafter referred to as the

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

“Piya Dasuna 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. (1) The general objects for which the corporation is The general

constituted are hereby declared to be— objects of the

Corporation.

(a) to provide necessary education, training and

assistance to Sri Lankan Youth to improve their

professional and vocational skills with a view to

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obtaining their optimal and finest services for the

development of the nation;

(b) to promote peace, goodwill and harmony among all

the communities and people of Sri Lanka ;

(c) to grant scholarships and bursaries to needy and

deserving students of Sri Lanka ;

(d) to establish and maintain permanent and mobile

libraries mainly in the remote and underdeveloped

areas, especially for the benefit of the students ;

(e) to organize awareness programmes on concepts such

as Fundamental Human Rights, Democracy and Good

Governance with a view to promoting such concepts

among the Sri Lankans;

(f) to formulate and implement programmes to promote

the rights of the children, women and other

marginalized groups such as the differently able

people ;

(g) to sponsor and promote sports among the children

and the youth according to their talents and interest ;

(h) to formulate and implement various humanitarian

assistance programmes such as housing, medical

relief, poverty alleviation programmes for the needy

and deserving Sri Lankans including the Displaced

Persons ;

(i) to formulate and implenment various projects and

programmes to improve the moral values of the Sri

Lankan youth and to foster and promote the cultural

heritage of Sri Lanka ; and

(j) to liaise and co-ordinate with other local and foreign

institutions having similar objects to that of the

Corporation.

(2) The Corporation shall ensure that the implementation

of the objects of the Corporation shall be carried out without

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

or political opinion.

4. The Corporation shall implement and carry out the Corporation to

objects of the Corporation in such manner so as not to cause ensure no

conflict with

any conflict between the work of the Corporation and any work of any

work being carried out by any Ministry or Department of the Ministry & c.

Government or a Provincial Council.

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

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

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, renovate and

otherwise obtain lands or buildings which may be

required for the purposes of the Corporation ;

(b) to borrow or raise funds with or whithout securities

and to receive grants, gifts or donations in cash or

kind ;

Provided that, the Corporation shall obtain the

prior written approval of the Department of External

Resources of the Ministry of the Minister assigned

the subject of Finance, in respect of all foreign grants,

gifts or donations.

(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 Governmental or non Governmental

organizations or any other person or institution

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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 Executive Committee 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.

6. (1) Subject to the provisions of this Act the

Executive

Committee of management and administration of the affairs of the

the Corporation. Corporation shall be administered by an Executive

Committee consisting of such number of office bearers as

may be specified by the rules of the Corporation made under

section 7.

(2) One of the members of the Executive Committee shall

be an officer not below the rank of a Senior Assistant Secretary

of the Ministry of the Minister to whom the subject of Social

Services is assigned and appointed by such Minister.

(3) The Executive committee of the Corporation shall be

elected every year at a general meeting of the Corporation.

(4) The first Executive Committee of the Corporation

shall be elected within one year of the date of commencement

of this Act.

(5) The executive Committee of the Foundation who

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holds office on the day immediately preceding the date of

commencement of this Act, shall function as the executive

Committee of the Corporation until the first Executive

Committee of the Corporation is elected in the manner

provided for in the Act.

(6) No person shall be elected as an office bearer

(including the patrons) of the Corporation for the life period

of such person.

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

time at any general meeting of the Corporation and by a Corporation.

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, for all or any

of the following matters:–

(a) the classification of membership, admission,

withdrawal, expulsion or resignation of members

and fees payable by the members ;

(b) the election of office bearers of the Executive

Committee 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;

(d) the procedure to be followed for the summoning

and holding of meetings of the Executive

Committee, the Corporation 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 Executive Committee and the Corporation ;

and

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(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 rescinded 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.

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

Corporation.

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

subscription, contribution, fees or grant for and on account

of the Corporation shall be deposited in one or more banks

approved by the Executive Committee 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.

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

Auditing. calendar year.

(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

annually by the Auditor General or an qualified auditor

appointed by the Auditor General.

(4) In this sectiobn "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

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(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, posseses a certificate

to practice as an Accountant, issued by the Council

of such Institute

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

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

of this Act, shall be paid by the Corporation hereby the Foundation.

constituted and all debts due to and subscriptions and

contributions payable to the Foundation on that day shall be

paid to the Corporation for the purposes of this Act.

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

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

or otherwise, 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 7 with power to

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

same.

12. The corporation shall be a non-profit organization Corporation to

be non-profit

and no part of the gains, profits or dividends, if any, of the organisation.

Corporation shall be distributed among the members of the

Corporation.

13. (a) If upon the dissolution of the Corporation there Property

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 or institutions

having objects similar to those of the Corporation, and which

is or are by the rules thereof, prohibited from distributing any

income or property among its members.

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(b) For the purposes of paragraph (a) the appropriate

institution or institutions shall be determined by the members

of the Corporation immediately before the dissolution.

Seal of the 14. The seal of the Corporation shall not be affixed to

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

members of the Executive Committee of the Corporation

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.

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

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

Republic.

corporate.

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

prevail in case

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

of

inconsistancy. prevail.

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Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180

(Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF

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December each year in respect of the year following.

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