



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**SIRINIWES PRAJAMITHRA SAHAYOGITHA
KENDRAYA (INCORPORATION)
ACT, No. 4 OF 2010**

[Certified on 09th February, 2010]

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*Siriniwes Prajamithra Sahayogitha
Kendraya (Incorporation) Act, No. 4 of 2010*

[Certified on 09th February, 2010].

L.D.—O. (Inc.) 11/2008.

AN ACT TO INCORPORATE THE SIRINIWES PRAJAMITHRA SAHAYOGITHA
KENDRAYA.

WHEREAS a “Kendraya” called and known as the Siriniwes Prajamithra Sahayogitha Kendraya has heretofore been established at Sri Priyadarshanarama Purana Rajamaha Viharasthanaya at Kobbewala, Gampola for the purpose of effectually carrying out and transacting all matters connected with the said Kendraya according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Kendraya 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 Siriniwes Prajamithra Sahayogitha Kendraya (Incorporation) Act, No. 4 of 2010.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as presently are members of the Siriniwes Prajamithra Sahayogitha Kendraya (hereinafter referred to as “Kendraya”) 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 “Siriniwes Prajamithra Sahayogitha Kendraya” and by that name may sue and be sued with full power and authority to have and use a common seal and alter the same at its pleasure.

Incorporation of the Siriniwes Prajamithra Sahayogitha Kendraya.

General objects
of the
Corporation.

3. The general objects for which the Corporation is constituted are hereby declared to be —

- (a) improve the economic standards of the poor families living within Sri Lanka ;
- (b) collaborate with the Government activities to improve and maintain standard of education of these poor families;
- (c) assist and support the activities to eliminate poverty and improve the financial standards of the poor;
- (d) support the activities in the protection and conservation of the environment;
- (e) improve health and nutrition levels through social activation projects and to provide assistance for social welfare activities;
- (f) collaborate with any other Institution or Organization in Sri Lanka or abroad having objects similar to those of the Corporation and to exchange views and programmes with them;
- (g) assist in the provision of books, instrument, clothing, loans and other financial assistance to children in lower income families which need assistance;

General Powers
of the
Corporation.

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power to do, 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 open, operate and close bank accounts to borrow or raise money with or without security

to receive or collect grants and 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 provisions of this Act and the rules of the Corporation made under section 7 be administered by a Committee of management consisting of the Executive Director, President, Administrative Secretary, Treasurer and Committee Members consisting not less than nineteen members and not more than twenty three members elected in accordance with such rules.

The Management of the affairs of the Corporation.

(2) The first Committee of Management of the Corporation shall consist of the members of the Kendraya holding office on the day prior to the date of commencement of this Act and who shall hold office until a new Committee of Management is elected under the rules of the Corporation.

6. (1) The Viharadhipathi of the Sri Priyadarshanarama Purana Rajamaha Viharasthanaya at Kobbewala, Gampola shall be the Executive Director of the Corporation.

Executive Director.

(2) Where the Executive Director of the Corporation, due to ill health or any other cause, is temporarily unable to discharge the duties as Executive Director, he shall nominate the most senior bikku in the Sri Priyadarshanarama Purana Rajamana Viharasthanaya to discharge such duties during such absence.

(3) Ven. Kobbewala Siriniwasa Nahimi, the Viharadhipathi of the Sri Priyadarshanarama Purana Rajamaha Viharasthanaya, who was the life patron and the Executive Director of the Kendraya, shall be the first Executive Director of the Corporation.

7. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by majority of not less than two thirds of the members present and voting to make rules,

Rules of the Corporation.

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 and the admission, withdrawal, resignation or expulsion of members;
- (b) the election of the office-bearers, the resignation from or vacation of or removal from office of office-bearers and their powers, functions and duties;
- (c) the election of the members of the Committee of Management and the powers, functions and duties and the terms of office of members of the Committee of Management;
- (d) the powers, conduct, duties and functions of the officers, agents and servants of the Corporation;
- (e) the procedure to be observed for the summoning and holding of meetings of the Committee of Management, the time, place, notice and agenda of such meeting, the quorum therefore 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) generally, for 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 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 be subject to the rules of the Corporation.

Seal of the
Corporation.

8. The seal of the Corporation shall—

- (a) be in the custody of the executive Director and the President Priest;

- (b) not be affixed to any document except with the sanction of the Committee of Management and in the presence of two members of the Committee of Management who shall sign the document in token of their presence.

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

Accounts and
Audit.

(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.

(4) 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.

10. The Corporation shall be able and capable in law to acquire and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, lease, testamentary disposition and all such property shall be held by the Corporation for the purposes of this Act, and subject to the rules of the Corporation made under section 7 with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may
hold property
movable or
immovable.

Limitation of liability of members.

11. No member of the Corporation shall for purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution other than what may be due from him to the Corporation.

Funds of the Corporation.

12. (1) The Corporation shall have its own fund and all moneys received by way of gifts, testamentary dispositions, transfers, donations or contributions shall be deposited in the name of the Corporation in one or more banks as may be decided by the Council.

(2) All expenses incurred by the Corporation in the exercise and discharge of the powers and functions of the Corporation shall be paid out of the fund of the Corporation.

Saving of the rights of the Republic and Others.

13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate.

Sinhala text to prevail in case of inconsistency.

14. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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