



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

**MATARA SEASON ORGANIZATION
(INCORPORATION) ACT, No. 42 OF 2024**

[Certified on 02nd of August, 2024]

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Matara Season Organization
(Incorporation) Act, No. 42 of 2024

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L.D.–O. (Inc. 11/2016)

AN ACT TO INCORPORATE THE MATARA SEASON ORGANIZATION

WHEREAS an organization called and known as the “Matara Season Organization” has heretofore been established in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said organization according to the rules agreed to by its members:

Preamble

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 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 Matara Season Organization (Incorporation) Act, No. 42 of 2024.

Short title

2. (1) From and after the date of commencement of this Act, such and so many persons as now are members of the Matara Season Organization and shall hereafter be admitted as members of the body corporate hereby constituted shall have perpetual succession under the name and style of the “Matara Season Organization” (hereinafter referred to as the “body corporate”), 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.

Incorporation of
the Matara
Season
Organization

(2) The body corporate shall be deemed to be a Voluntary Social Service Organization within the meaning and for the purpose of the Voluntary Social Service Organizations (Registration and Supervision) Act, No. 31 of 1980 and the provisions of that Act shall apply to and in relation to the management of the affairs of the body corporate.

General objects
of the body
corporate

3. (1) Subject to the provisions of any other written law, this Act and the rules made under section 7, the general objects for which the body corporate is constituted are hereby declared to be-

(a) with the approval and assistance of the Ministry assigned the subject of education-

- (i) to enhance the cultural talents of school children and university students by organizing talent shows and evaluate their skills and award certificates to successful participants;
- (ii) to conduct training programmes for the youth to enable them to appreciate and practice cultural and moral values, norms and ethics;
- (iii) to organize leadership camps and workshops for senior school children and university students to enhance their leadership qualities;
- (iv) to organize programmes on sanitation, health, sports and physical exercise to enhance the physical fitness of the student population; and
- (v) to organize and conduct educational tours, shramadana campaigns and workshops to inculcate feelings and patriotism on Sri Lankan heritage, environment, wildlife and people among the school children;

- (b) to assist and encourage organizations which assist senior citizens;
- (c) to encourage the farmers who are engaged in traditional and export agriculture by conducting awareness programmes on recent developments in agriculture; and
- (d) to provide necessary assistance to train unemployed youth in self employment.

(2) In the implementation of the objects specified in subsection (1), the body corporate shall ensure that such implementation shall be carried out without any distinction based on race, religion, language, caste, sex, political opinion, place of birth or any of such grounds.

4. The objects of the body corporate shall be carried out in accordance with written law and in such manner so as not to create any conflict between the work of the body corporate and any work being carried out simultaneously by any Ministry or Department of the Government or of any Provincial Council or any local authority or public corporation.

Body corporate to ensure no conflict with work of Ministry or Department of the Government, or a Provincial Council or any local authority or public corporation

5. (1) Subject to the provisions of any other written law, this Act, and the rules made under section 7, the management and administration of the affairs of the body corporate shall be carried out by a Committee of Management (hereinafter referred to as the “Committee”) consisting of such number of office bearers as may be specified by rules made under section 7 and in such a manner as may be specified therein.

Management of affairs of the body corporate

(2) (a) The members of the Committee of Management of the Matara Season Organization holding office on the day immediately preceding the date of commencement of this

Act shall, subject to the rules made under paragraph (b), function as the Interim Committee of the body corporate until the first Committee is appointed or elected within the period specified in paragraph (d) and in the manner provided for by rules made under section 7.

(b) Subject to the provisions of subsections (2), (3), (4), and (5) of section 7, the Interim Committee of the body corporate shall have the power to make rules for the interim administration of the body corporate not inconsistent with the provisions of this Act or any other written law.

(c) Any decision of the Interim Committee shall be taken by the majority of its members present at any meeting.

(d) The first Committee of the body corporate shall be appointed or elected within one year of the date of commencement of this Act.

(3) (a) Every office bearer of the Committee including the patrons and advisers, shall be appointed or elected for a period of three years and any such office bearer, patron or advisor shall be eligible for re-appointment or re-election after lapse of the said period of three years.

(b) In the event of a vacancy occurring due to the death, resignation, incapacity or removal from office of an office bearer, the Committee shall, having regard to the rules of the body corporate, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b) shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

6. Subject to the provisions of any other written law, this Act and the rules made under section 7, the body corporate shall have the power to do, perform and execute the following acts for the attainment of the objects of the body corporate:—

Powers of the
body corporate

- (a) to purchase, rent, construct, renovate and otherwise obtain lands or buildings which may be required for the purposes of the body corporate and to deal with or dispose of the same as determined by the Committee with a view to promoting the objects of the body corporate;
- (b) to enter into and perform or carry out, whether directly or through any officer or agent authorized in that behalf by the body corporate, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the body corporate;
- (c) to borrow or raise funds with or without securities and to receive grants, gifts or donations in cash or kind for the attainment of the objects of the body corporate:

Provided that, the Committee shall obtain the prior written approval of the Department of External Resources in respect of all foreign funds including grants, gifts or donations received by or made to the body corporate;

- (d) subject to the provisions of the proviso to paragraph (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;

- (e) to invest any funds that are not immediately required for the purposes of the body corporate, in such manner as the Committee may determine;
- (f) to undertake, accept, execute, perform and administer any lawful trust having objects similar to the body corporate or any real or personal property with a view to promoting the objects of the body corporate;
- (g) to appoint, employ, dismiss or terminate the services of officers and other employees of the body corporate and exercise disciplinary control over them and to pay them such salaries, allowances and gratuities as may be determined by the body corporate in terms of the rules made under section 7 of the Act;
- (h) to organize lectures, seminars and conferences with a view to promoting the objectives of the body corporate;
- (i) to liaise and co-ordinate with other local and foreign institutions having similar objects to that of the body corporate;
- (j) to train personnel in Sri Lanka or abroad for the purposes of the body corporate; and
- (k) to do such things as are authorised by this Act for the achievement of the objects of the body corporate.

Rules of the
body corporate

7. (1) The body corporate shall, from time to time, at any general meeting of the body corporate and by a majority of not less than two-thirds of the members present and voting, make rules which are not inconsistent with the provisions of this Act, or any other written law, for 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 Committee and vacation of or removal from office of office bearers and the powers, duties and functions of the office bearers;
- (c) the terms and conditions of appointment, powers, functions and duties, dismissal or termination of services, the exercise of disciplinary control and the payment of salaries, allowances and gratuities of the various officers and other employees of the body corporate;
- (d) the procedure to be followed for the summoning and holding of meetings of the body corporate and of the Committee and for the issuance of notices and agenda of such meetings, the quorum and the conduct of business thereat;
- (e) the qualifications and disqualifications to be a member of the body corporate and the Committee;
- (f) the administration and management of the property of the body corporate, detailing of all contracts and agreements entered into by it, custody of its funds and the maintenance and audit of its accounts;
- (g) the procedure for governing, the manner of liaising, coordinating and contracting with other local and foreign institutions having objects similar to that of the body corporate; and
- (h) generally the management of the affairs of the body corporate, the accomplishment of its' objects and dissolution of the body corporate.

(2) Any rule made by the body corporate 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 rules made under subsection (1) of this section and paragraph (b) of subsection (2) of section 5 of this Act, shall be published in the *Gazette* within three months upon making of such rules and shall come into effect on the date of publication thereof.

(4) Every rule made by the body corporate shall within three months of its publication in the *Gazette*, be brought before parliament for approval. Any rule, which is not so approved, shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

(5) Notification of the date on which any such rule is deemed to be so rescinded under subsection (4) shall be published in the *Gazette*.

(6) The members of the body corporate shall at all times be subject to the rules of the body corporate.

Register of
Members

8. The Committee shall maintain a register of members in which name, address and other essential details of the members of the body corporate shall be inscribed .

Fund of the
body corporate

9. (1) The body corporate shall have its own Fund.

(2) Subject to the provisions of the proviso to paragraph (c) of section 6, all moneys received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the body corporate shall, subject to the provisions of paragraph (c) of section 6, be deposited in one or more banks approved by the Committee to the credit of the body corporate.

(3) There shall be paid out of the Fund, all such sums of money as are required to defray any expenditure incurred by the body corporate in the exercise, performance and discharge of its powers, duties and functions under this Act.

10. (1) The financial year of the body corporate shall be the calendar year. Accounts and Auditing

(2) The body corporate shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the body corporate.

(3) The accounts of the body corporate shall be audited annually by the Auditor General or a qualified auditor appointed by the Auditor General in terms of the provisions of Article 154 of the Constitution, and be certified by the Auditor General or a qualified auditor.

(4) For the purposes of this section “a 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.

Annual Report

11. (1) The Committee shall prepare a report of the activities of the body corporate for each financial year and submit such report together with the audited statement of accounts certified by the Auditor-General or a qualified auditor appointed by the Auditor General, referred to in section 10 and the details of all contracts and agreements entered into by the body corporate and the rules of the body corporate made under section 7, to the Secretary of the Ministry of the Minister assigned the subject of Education and to the Registrar of Voluntary Social Service Organizations appointed under the Voluntary Social Service Organizations (Registration and Supervision) Act, No. 31 of 1980, before the expiration of six months of the year succeeding the year to which such report relates.

(2) A separate statement of accounts relating to the foreign and local moneys received by the body corporate during the financial year shall be attached to the report referred to in subsection (1).

Debts due by
and payable to
the Matara
Season
Organization

12. All debts and liabilities of the Matara Season Organization existing on the day immediately preceding the date of commencement of this Act, shall be paid by the body corporate hereby constituted and all debts due to and subscriptions and contributions payable to the Matara Season Organization on that day shall be paid to the body corporate for the purposes of this Act.

Body corporate
may hold
property
movable and
immovable

13. Subject to the provisions of any other written law, of this Act and the rules made under section 7, the body corporate shall be able and capable in law to take and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise, and all such property shall be held by the body corporate for the purpose of this Act and subject to the rules of the body corporate made under section 7, with power to sell, mortgage, lease, exchange, or otherwise dispose of the same.

14. Subject to the provisions of any other written law, of this Act and the rules made under section 7, the moneys and property of the body corporate however derived shall be applied solely towards the promotion of the objects of the body corporate and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or profit or otherwise howsoever to the members of the body corporate.

Application of
moneys and
property

15. (1) Subject to the provisions of any other written law, the seal of the body corporate shall not be affixed to any instrument whatsoever, except in the presence of two members of the Committee, who shall sign their names to the instrument and such signing shall be independent of the signing of any person as a witness.

Seal of the body
corporate

(2) The seal of the body corporate shall be in the custody of an office bearer of the Committee as may be decided by the Committee.

16. (1) If upon the dissolution of the body corporate there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the body corporate, but shall be given or transferred to any other appropriate institution having objects similar to those of the body corporate, and which is by the rules thereof, prohibited from distributing any income or property among its members.

Property
remaining on
dissolution

(2) For the purposes of subsection (1), the appropriate institution to which any property remains after the satisfaction of all the debts and liabilities of the body corporate to be transferred shall be determined by the members of the body corporate with the approval of the Registrar of the Voluntary Social Service Organizations

appointed under Voluntary Social Service Organizations (Registration and Supervision) Act, No. 31 of 1980 immediately before the dissolution at a general meeting by the majority of votes of the members present.

Saving of the
rights of the
Republic

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

Interpretation

18. In this Act, unless the context otherwise requires-

“bank” means a bank licensed under the provisions of the Banking Act, No.30 of 1988; and

“written law” shall have the same meaning assigned to such expression in the Constitution of the Democratic Socialist Republic of Sri Lanka.

Sinhala text to
prevail in case of
inconsistency

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

