



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

**KATUWANA ADULTS CARE CENTRE
DEVELOPMENT FOUNDATION
(INCORPORATION) ACT, No. 29 OF 2000**

[Certified on 19th July, 2000]

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*Katuwana Adults Care Centre Development
Foundation (Incorporation) Act, No. 29 of 2000*

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L.D.—O. 46/96.

AN ACT TO INCORPORATE THE KATUWANA ADULTS CARE CENTRE
DEVELOPMENT FOUNDATION

WHEREAS a Foundation called and known as the “Katuwana Adults Care Centre Development Foundation” has heretofore been established 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 :

Preamble.

AND 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 is for the public advantage to grant such 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 Katuwana Adults Care Centre Development Foundation (Incorporation) Act, No. 29 of 2000.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Katuwana Adults Care Centre Development Foundation (hereinafter referred to as the “Foundation”) 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 the “Katuwana Adults Care Centre Development 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 to alter the same at its pleasure.

Incorporation of
the Katuwana
Adults Care
Centre
Development
Foundation.

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General Objects
of the
Corporation.

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

- (a) to accomodate and care for destitute and disabled adults and provide food, clothing, medical and other facilities to such persons ;
- (b) to attend to the needs of such destitute and disabled persons and meet their requirements adequately ;
- (c) to give aid by way of scholarships to any officer or servant engaged in the furtherance of the objects of the Corporation ;
- (d) to liaise and co-ordinate with other local or foreign institutions which have similar objects as the Corporation ; and
- (e) to do all such other acts and things as are necessary or expedient for the carrying out of the abjects of the Corporation.

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.

Management of
the affairs of the
Corporation.

5. (1) The affairs of the Corporation shall subject to the rules of corporation be administered by a Board of Trustees consisting of such number of members as may be provided for in such rules and elected in accordance therewith.

(2) The first Board of Trustees of the Corporation shall consist of the members of the Board of Trustees of the Foundation holding office on the day immediately preceding the date of commencement of this Act who shall continue in office until the first Annual General Meeting of the Corporation.

6. (1) It shall be lawful for the Corporation from time to time, at any general meeting of the members and by a 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 :—

Rules of the Corporation.

- (a) the admission, withdrawal or expulsion of members ;
- (b) the conduct of the duties of the Board of Trustees and of the agents, officers and servants of the Corporation ;
- (c) the procedure to be followed by the Corporation and the Board of Trustees in the conduct of its meetings, and the transaction of business at such meeting ;
- (d) the election of the office bearers of the Corporation ; and
- (e) 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 sub-section (1).

(3) The rules of the Foundation in force on the day preceding the date of commencement of this Act, shall be deemed to be the rules of the Corporation made under this section, in so far as they are not inconsistent with the provisions of this Act or any other written law.

(4) The members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

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Fund of the
Corporation.

7. (1) The Corporation shall have its own Fund. All moneys received by way of gift, bequest, donation, transfer, subscription, contribution or fees shall be deposited to the credit of the Corporation in one or more Banks as the Board of Trustees 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 monays and property of the Corporation wheresoever derived shall be applied solely towards the promotion of the objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, to any member of the Corporation.

Accounts and
Audit.

8. (1) The Corporation shall cause proper accounts to be kept of all the moneys received and expended by the Corporation.

(2) The accounts of the Corporation shall be examined and audited at least once in every year and the correctness of the Income and Expenditure, Account and the Balance Sheet shall be certified by the auditors appointed by the Corporation

Debts due by and
payable to the
Foundation.

9. All debts and liabilities of the Foundation existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby 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 purpose of this Act.

Corporation may
hold property
movable and
immovable.

10. The Corporation 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 Corporation for the purposes of this Act, and subject to the rules in force for the time being of the Corporation with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

11. The seal of the Corporation shall be in the custody of the Board of Trustees and it shall not be affixed to any instrument whatsoever, except in the presence of a member of the Board of Trustees and the Secretary or any person authorised by the Board of Trustees, 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.

Seal of the Corporation.

12. If upon the dissolution of the Corporation 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 Corporation, but shall be given or transferred to some other institution having objects similar to those of the Corporation and which by its rules is prohibited from distributing any income or property among its members.

Property remaining on dissolution.

13. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate, or of any other persons, except, such as are mentioned in this Act, and those claiming by, from, or under, them.

Saving of the rights of the Republic and others.

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

Sinhala text to prevail in case of any inconsistency.

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