



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

**SAHANODA FOUNDATION (INCORPORATION)
ACT, No. 20 OF 2000**

[Certified on 8th June, 2000]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic Socialist
Republic of Sri Lanka** of June 09, 2000

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO I

Price : Rs. 5.75

Postage : Rs. 3.50

Sahanoda Foundation (Incorporation)
Act, No. 20 of 2000

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L.D.—O. 30/99.

AN ACT TO INCORPORATE THE SAHANODA FOUNDATION

WHEREAS an Association called and known as the “Sahanoda Foundation” has heretofore been formed for the purpose of effectually carrying out and transacting all objects and matters connected with the said Association according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Association 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 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 Sahanoda Foundation (Incorporation) Act, No. 20 of 2000.

Short Title.

2. From and after the date of commencement of this Act, such and so many persons as now are the members of the Sahanoda Foundation (hereinafter referred to as the “Foundation”) or shall hereafter be admitted 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 “Sahanoda 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 Sahanoda
Foundation.

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

General objects of
the Corporation.

- (a) to implement rehabilitation projects and programmes for the well-being of infants, children, youth, elders and parents ;

- (b) to establish and maintain a complex for elders at Kahavita Mawatha, Attidiya, Dehiwala ;
- (c) to establish welfare centres for the physically handicapped, the disabled, and the mentally retarded and homes for the aged ;
- (d) to co-operate with other organizations local and foreign countries in providing vocational training that will contribute to the upliftment of youth ;
- (e) to implement suitable programmes to prevent environmental pollution and the destruction of natural resources ;
- (f) to develop small scale irrigation projects, and implement programmes of work for agricultural development and the erection of houses for the poor ;
- (g) to initiate income generating projects ;
- (h) to do all such other things as are necessary, conducive or incidental to the attainment of the objects 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 the Corporation, be administered by a Board of Management consisting of eleven members appointed or elected in accordance with the provisions of this Act and the rules for the time being of the Corporation.

(2) The First Board of Management of the Corporation shall be the Board of Management of the Foundation holding office on the day preceding the date of commencement of this Act, and the Venerable Haputale Pannarama Thero shall be the Chairman of the First Board of Management of the Corporation.

(3) In the event of the death, resignation or removal of a member of the Board of Management, the vacancy shall be filled in accordance with the provisions of this Act and the rules for the time being 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 votes of 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 the admission, withdrawal or expulsion of members, the election of the office bearers and otherwise generally, for the management of the affairs of the Corporation and the attainment of its objects. Such rules when made may, at a like meeting and in like manner be altered, added to, amended or rescinded.

Rules of the
Corporation.

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

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

7. 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, subscriptions and contributions payable to the Foundation on that day shall be paid to the Corporation for the purposes of this Act.

Debts due by and
payable to the
Foundation.

Corporation may
hold property
movable or
immovable.

8. 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, testamentary disposition or otherwise, and all such property shall be held by the Corporation for the purposes of this Act. The Corporation shall subject to the rules, for the time being of the Corporation have the full power to sell, mortgage, lease, exchange or otherwise dispose of such property.

Corporation to be
a non profit
making
organization.

9. The moneys and property of the Corporation however derived shall be applied solely towards the promotion of its objects as set-forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, loan, bonus or otherwise howsoever by way of profit to the members of the Corporation :

Provided however, that the provisions of this section shall not prohibit—

- (a) the payment in good faith of reasonable and proper remuneration to any officer or servant of the Corporation for any services rendered by him to the Corporation ;
- (b) the payment of reasonable and proper rent for premises let to the Corporation by any member of the Corporation or by any Company of which a member of the Corporation is a shareholder ; and
- (c) the re-imbursement or repayment of reasonable and proper expenses incurred with the prior approval of the Board of Management by any member, officer or servant of the Corporation in the discharge or performance of his functions or duties' or in promoting the objects of the Corporation.

10. (1) The Corporation shall have its own fund and all moneys received by way of donations, gifts, testamentary dispositions, transfers, contributions or fees shall be deposited in the name of the Corporation in one or more Banks as the Board of Management shall determine.

Fund of the
Corporation.

(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) 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.

11. (1) The Board of Management shall cause proper accounts to be kept of all income and expenditure by the Corporation.

Audit and
Accounts.

(2) Separate accounts shall be maintained for the project of the Complex for Elders at Kahavita Mawatha, Attidiya, Dehiwala.

(3) The accounts of the Corporation shall be audited annually by the auditors appointed by the Board of Management.

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 or institutions having objects similar to those of the Corporation and which is or are by it's or their rules prohibited from distributing any income or property among its members. Such institution or institutions shall be determined by the Board of Management at or immediately before the time of dissolution of the Corporation.

Property
remaining on
dissolution.

Seal of the
Corporation.

13. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the Chairman, Vice Chairman or Secretary of the Corporation who shall write and 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
rights of the
Republic and
others.

14. 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.

Sinhala text to
prevail in case of
any inconsistency.

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

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