

PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRILANKA

JANAKARALIYA CULTURAL FOUNDATION (INCORPORATION)

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BILL

to incorporate the Janakaraliya Cultural Foundation

Presented by Hon. Sunil Handunnetti, M. P. on 07th June, 2016

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2—PL 009989—225 (06/2016)

Janakaraliya Cultural Foundation (Incorporation)

AN ACT TO INCORPORATE THE JANAKARALIYA CULTURAL FOUNDATION

WHERE a Foundation called and known as the Preamble. "Janakaraliya Cultural Foundation" has heretofore been formed for the purpose of effectually carrying out and transacting all objects and matters connected with the 5 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 10 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 Janakaraliya Cultural Short title.
- 15 Foundation (Incorporation) Act, No. 2016.
- this Act, such and so may persons as now are members $\mathop{\text{of the}}_{Janakaraliya}$ of the "Janakaraliya Cultural Foundation" (hereinafter Cultural referred to as the "Foundation") or shall hereafter be Foundation. 20 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 "Janakaraliya Cultural Foundation" and by that name may sue and be sued in all courts, with full power and 25 authority to have and use a common seal and alter the same

2-PL 009887-300 (04/2016)

at its pleasure.

2. From and after the date of commencement of Incorporation

2 Janakaraliya Cultural Foundation (Incorporation)

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

General objects of the Corporation.

- (a) to build awareness amongst the people of every strata about the importance of cultural and spiritual development parallel to the material development and the importance and possibility of the usage of drama and theatre and other arts as supportive human activites within that integral development, to build a sensitive, creative, wise and active society;
 - (b) to provide access for the majority of people in the country to theatre of performance without any ethnic, socio-cultural or political discrimination, by broadening the usage of it and motivating them through various methods to participate in drama and theatre and arts;
- (c) to use and support to sue drama and theatre and other arts to enable majority of society to understand and build self esteem, while undrstanding tolerating, appreciating, admiring others and their various ideologies, inclinations, behaviours, cultures that enable them to communicate and interact with each other effectively and as a result support building a society in which everybody can live in harmony and peace;
 - (d) to support to create a society to understand the nature and build a good relationship with the nature that enables living in harmony with nature;
- (e) to prepare, print, publish, issue, edit and cirulate books, brochures, pamphlets, journals, magazines, periodicals, articles, bulletins and audio visual materials and to disseminate information and knowledge on drama and theatre and other arts and its ancillary arts as educational subjects and also to utilize audio-visual media to fulfill the same purpose.

- (f) to sponsor or and conduct workshops, conferences, seminars, group studies and public lectures on drama and theatre in any part of the country or outside Sri Lanka;
- 5 (g) to grant assistance to individuals, primary community organizations, government institutions for the achieving objectives of the Foundation.
- 4. (1) The affairs of the Corporation shall, subject to the Management 10 other provisions of this Act and the rules of the Corporation, of the affairs made under Section 6, be administerd by a Board of Company Directors consisting of Chairman, Secretary, Treasurer and another five members elected in accordance with such rules.

Corporation.

- (2) The first Board of the Corporation shall consist of the 15 members of the Board of Administration of the Foundation holding office on the day immediately preceding the date of his election.
- (3) A member of the Board of Directors shall unless he vacates his office earlier by death or resignation, holds office 20 for a period of four years reckoned from the date of his election.
- (4) If any member of the Board of Directors vacates his office prior to the expiry of his term, his successor elected in accordance with rules of the Corporation shall hold office 25 only for the unexpired term of office of the member who he succeeds.
- 5. Subject to the provisions of this Act and any other General written law, the Corporation shall have the power to do, power of the perform and execute all such acts, matters and things 30 whatsoever as are necessary or desirable for the promotion of furtherance of the objects of the Corporation or any one of them, including the power to acquire and hold property both movable and immovable, to receive or collect

Corporation.

4 Janakaraliya Cultural Foundation (Incorporation)

grants and donations to open, operate and close bank accounts, to borrow or raise money with or without security, to erect any building or structures on any land held by the Corporation and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

- 6. (1) It shall be lawful for the Corporation, from time Rules of the to time, at any General Meeting of the members 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) classification of membership, admission, withdrawal, expulsion or resignation of members and membership fees payable;

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- (b) procedure to be observed for the summoning and holding of meetings of the Corporation and of the Board of Directors, the quorum for such meetings and the exercise and perfomance of their powers and duties:
- (c) the appointment, powers, duties and functions of the various officers, agents and servants of the Corporation;
- (d) qualification required to become a member of the Corporation and of the Board of Directors;
 - (e) election of Board of Directors; and
 - (f) the administration and management of the property of the Corporation.
- (2) Any rule made by the Corporation may be amended, 30 altered, added to or rescinded at like meeting and in like manner as a rule made under subsection (1).

- (3) Every member of the Corporation shall be subject to the rules of the Corporation.
- 7. All debts and liabilities of the Institution existing on Debts due by the day preceding the date of commencement of this Act, and payable shall be paid by the Corporation hereby constituted and all Corporation. 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.

8. (1) The Corporation shall have its own fund and all Fund of the 10 moneys heretofore or hereafter to be received by way of ^{Corporation}. gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the Corporation shall be deposited to the credit of the Corporation in one or more banks as the Board of Directors shall determine.

- 15 (2) There shall be paid out of the fund, all sums of money required to defray any expenditure incurred by the Corporation in the exercise, performance and discharge of its powers, duties and function under this Act.
- 9. The Corporation shall be able and capable in law Corporation 20 to acquire and hold any property, movable and immovable may hold which may become vested in it by virtue of any purchase, movable and grant, lease, gift, testamentary disposition or otherwise and immovable. all such property shall be held by the Corporation for the purposes of this Act and subject to the rules in force for 25 the time being of the Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

10. No member of the Corporation there remains after Limitation of the satisfaction of all its debts and liabilities of the 30 Corporation or for any other purpose, be liable to make any contribution exceeding the amount of such membership fees as may be due from him to the Corporation.

Liabilities of members.

6 Janakaraliya Cultural Foundation (Incorporation)

11. If upon the dissolution of the Corporation there Property remains after the satisfaction of all its debts and liabilities remaining on 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 objectives similar to those of the Corporation and which, is or are by its or their rules prohibited from distributing any income or property among their members. Such institution or institutions may be determined 10 by the members of the Corporation on or before the dissolution of the Corporation.

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

Corporation.

dissolution.

- (2) The financial year of the Corporation shall be the calendar year.
 - (3) The accounts of the Corporation shall be examined and audited at least once in every year by an auditor or auditors appointed by the Board of Directors.
- 20 13. The seal of the Corporation shall not be affixed to Seal of the any instrument whatsoever except in the presence of such Corporation. number of persons as may be provided for in the rules in force for the time being of the Corporation, who shall sign their names to the instrument in token of their presence and such 25 signing shall be independent of the signing of any person as a witness.

14. Nothing contained in this Act shall prejudice or Saving of the affect the rights of the Republic, anybody politic, or corporate.

rights of the Republic and others.

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

case of inconsistency.

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