

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

Part II of May 13, 2016

SUPPLEMENT

(Issued on 16. 05. 2016)



**JANAKARALIYA CULTURAL
FOUNDATION (INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Janakaraliya Cultural Foundation

To be presented in Parliament by Hon. Sunil Handunnetti

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*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.

2. From and after the date of commencement of Incorporation
of the
Janakaraliya
Cultural
Foundation.
this Act, such and so may persons as now are members
of the “Janakaraliya Cultural Foundation” (hereinafter
referred to as the “Foundation”) or shall hereafter be
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
at its pleasure.

(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.

10 **4.** (1) The affairs of the Corporation shall, subject to the other provisions of this Act and the rules of the Corporation, made under Section 6, be administered by a Board of Directors consisting of Chairman, Secretary, Treasurer and another five members elected in accordance with such rules.

Management of the affairs of the Corporation.

15 (2) The first Board of the Corporation shall consist of the members of the Board of Administration of the Foundation holding office on the day immediately preceding the date of his election.

20 (3) A member of the Board of Directors shall unless he vacates his office earlier by death or resignation, holds office for a period of four years reckoned from the date of his election.

25 (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 only for the unexpired term of office of the member who he succeeds.

30 **5.** 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 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

General power of the Corporation.

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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
5 servants required for the carrying out of the objects 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
10 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.

15 (a) classification of membership, admission, withdrawal, expulsion or resignation of members and membership fees payable;

20 (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 performance of their powers and duties;

(c) the appointment, powers, duties and functions of the various officers, agents and servants of the Corporation;

25 (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.

30 (2) Any rule made by the Corporation may be amended, 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.

5 **7.** All debts and liabilities of the Institution 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 Corporation.

10 **8.** (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of 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.

Fund of the Corporation.

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.

20 **9.** The Corporation shall be able and capable in law to acquire and hold any property, movable and immovable which may become vested in it by virtue of any purchase, grant, lease, 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.

Corporation may hold property movable and immovable.

30 **10.** No member of the Corporation there remains after the satisfaction of all its debts and liabilities of the 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.

Limitation of Liabilities of members.

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11. 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 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 by the members of the Corporation on or before the dissolution of the Corporation.
- Property remaining on dissolution.
12. (1) The Board of Directors of the Corporation shall cause proper accounts to be kept of all moneys received and expended by the Corporation.
- Audit and accounts of the Corporation.
- 15 (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 any instrument whatsoever except in the presence of such 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 signing shall be independent of the signing of any person as a witness.
- Seal of the Corporation.
- 25 14. Nothing contained in this Act shall prejudice or affect the rights of the Republic, anybody politic, or corporate.
- Saving of the rights of the Republic and others.
- 30 15. 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 inconsistency.

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