

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

Part II of January 01, 2016

SUPPLEMENT

(Issued on 04. 01. 2016)



S. B. NAWINNA FOUNDATION (INCORPORATION)

(Private Member's Bill)

A

BILL

to incorporate the S. B. Nawinna Foundation

*To be presented in Parliament by Hon. Buddhika Pathirana, M. P. for
Matara District*

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 8.00

Postage : Rs. 10.00

S. B. Nawinna Foundation
(Incorporation)

AN ACT TO INCORPORATE THE S. B. NAWINNA FOUNDATION

WHEREAS An Association called and known as Preamble.
“S. B. Nawinna Foundation” has heretofore been formed in
the purpose of effectually carrying out and transacting all
objects and matters connected with the said Foundation
5 according to the rules agreed to by its members :

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
10 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 S. B. Nawinna Short title.
Foundation (Incorporation) Act, No. of 2016.

15 **2.** From and after the date of commencement of this Act, Incorporation
such and so many persons as now are members of the “S. B. of the S. B.
Nawinna Foundation” (hereinafter referred to as the Nawinna
“Foundation”) or shall hereafter be admitted members of the Foundation.
Corporation hereby constituted shall be a body corporate
20 (hereinafter referred to as the “Corporation”) with perpetual
succession under the name and style of “S. B. Nawinna
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 alter the same at its pleasure.

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

(a) to give assistance, prizes and scholarships to needy
school children to enable them to continue their
education, encourage them to attend school
30 regularly, assist them in their educational, cultural
and scientific activities and to establish permanent
and mobile libraries ;

*S. B. Nawinna Foundation
(Incorporation)*

- 5 (b) to organize seminars, workshops, lectures, exhibitions, competitive tests and educational tours with a view to promoting the educational activities of school children and to hold competitions and training camps in order to improve their sports skills and artistic skills and to take steps including the award of prizes and certificates and giving assistance for local or foreign tours to talented children ;
- 10 (c) to offer prizes and organize workshops and seminars, and provide loan schemes and other assistance to school principals and teachers in order to appreciate and encourage their services and to improve their professional knowledge ;
- 15 (d) to take necessary steps to promote artistic creations, sports skills and technical knowledge of school leavers and to set up vocational training centers as well as give them assistance to persue studies in computer science and technology and to establish
20 institutions to provide such studies ;
- (e) to assist by granting scholarships to students selected to Universities and Technical Colleges and to establish self-employment opportunities for unemployed citizens and to provide loans and to
25 inaugurate various savings schemes ;
- (f) to inaugurate and maintain pre-schools for early childhood development of the poor children, inaugurate and maintain classes in various languages and various subjects for elders, school
30 children, school leavers and provide them with other facilities ;
- (g) to provide lands and houses to families who do not own lands and houses, inaugurate water supply schemes in areas where there is a shortage of water,

5 take steps to prevent and minimize natural disasters such as floods, provide buildings to schools with less facilities and to cater to other needs of such schools and provide infrastructure facilities such as roads, electricity and health in various areas ;

(h) to assist in the development of educational, religious, cultural, aesthetic and sports facilities without any reference to race, religion or caste and to conduct various festivals and competitions ;

10 (i) to provide medical relief and food for the poor, destitute and sick persons, establish and maintain houses for displaced persons and elders and establish and maintain Children's homes and day care centres for children and elders ;

15 (j) to promote, arrange and organize exhibitions, lectures, seminars, discussions, workshops, debates, panel discussions tours, pleasure trips or such other activities with a view to accomplishing the objectives of the Corporation and to print, publish and distribute such books, journals, bulletins and newspapers as are necessary to achieve these objects ;

20 (k) to provide facilities for the blind, deaf and dumb by the establishment and maintenance of transit houses ;

25 (l) to promote peace, goodwill, understanding and cooperation among all communities and people of Sri Lanka ; and

30 (m) to liaise and co-ordinate with other local or foreign institutions which have similar objects.

4. (1) The affairs of the Corporation shall, subject to the other provisions of this Act and the rules in force for the time being of the Corporation be administered by a Board of Management of the affairs of the Corporation.

4 *S. B. Nawinna Foundation*
(Incorporation)

Directors consisting of Chairman and a Secretary, Treasurer and another eleven members elected in accordance with such rules.

5 (2) The founder member of the Foundation, Honourable Minister S. B. Nawinna shall be the Chairman of the Board of Directors for life and thereafter, the Family member of the person who was holding office as the Chairman shall become the next Chairman of the Board of Directors.

10 (3) The first Board of Directors 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 commencement of this Act.

15 (4) A member of the Board of Directors other than the Chairman shall unless he vacates his office earlier by death or resignation, hold office for a period of four years. Where due to death or resignation a vacancy occurs in the Board of Directors a new member shall be appointed to fill such vacancy and such a new member shall hold office for a period of four years.

20 **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 what so ever as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of
25 them, including the power to acquire and hold property movable or immovable, to open, operate and close bank accounts, to borrow or raise moneys with or without security, to receive or collect grants or donations, to invest its funds, to erect any building or structures on any land held by the
30 Corporation and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

General Powers of the Corporation.

35 **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

Rules of the Corporation.

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 :—

- 5 (a) classification of membership, admission, withdrawal, expulsion or resignation of members and membership fees payable ;
- 10 (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 ;
- 15 (d) qualifications required to become a member of the Corporation and of the Board of Directors ; and
- (e) the administration and management of the property of the Corporation .

20 (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 subsection (1).

(3) Every member of the Corporation shall be subject to the rules of the Corporation.

25 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 Centre.

*S. B. Nawinna Foundation
(Incorporation)*

8. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gifts, bequest, donation, subscription, contribution, 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.

(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 functions under this Act.

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.

10. No member of the Corporation shall for the purpose of discharging the 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.

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 objects 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.

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.

(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
5 auditors appointed by the Board of Directors.

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
10 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.

14. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody politic, or
15 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.

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

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.