



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRILANKA**

**B. Y. THUDawe SOCIAL WELFARE FOUNDATION
(INCORPORATION)**

A

BILL

to incorporate the B. Y. Thudawe Social Welfare Foundation

*Presented by Hon. (Mrs.) Sriyani Wijewickrama M. P. for
Digamadulla District on 05th May, 2016*

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*B. Y. Thudawe Social Welfare Foundation
(Incorporation)*

AN ACT TO INCORPORATE THE B. Y. THUDAWE SOCIAL
WELFARE FOUNDATION

WHEREAS an Association called and known as the Preamble.
“B. Y. Thudawe Social Welfare Foundation” has heretofore
been formed for the purpose of effectually carrying out and
transacting all objects and matters connected with the said
5 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
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 B. Y. Thudawe Social Short title.
Welfare Foundation (Incorporation) Act, No. of 2016.

- 15 2. (1) From and after the date of commencement of this Incorporation
Act, such and so many persons as now are members of the “B. of the B. Y.
Y. Thudawe Social Welfare Foundation” (hereinafter referred Thudawe
to as the “Foundation”) or shall hereafter be admitted as Social
members of the Corporation hereby constituted shall be a body Welfare
20 corporate (hereinafter referred to as the “Corporation”) with Foundation.
perpetual succession under the name and style of “B. Y.
Thudawe Social Welfare 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.
- 25 (2) The Corporation shall be deemed to be a voluntary
social service organization within the meaning, and for the
purpose of the Voluntary Social Service Organizations
(Registration and Supervision) Act, No. 31 of 1980 and the

2 *B. Y. Thudawe Social Welfare Foundation*
 (Incorporation)

provisions of that Act shall apply to and in relation to the management of the affairs of the Corporation.

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

- 5 (a) to implement a sustainable development which is essential to accepted and affordable community;
- (b) to promote ethics and culture, create necessary resources and maintain;
- 10 (c) to establish libraries to promote education and research;
- (d) to provide medical aid and food to the poor, the destitute and the sick;
- (e) to support and encourage senior citizens movements in order to enhance the services provided by them;
- 15 (f) to assist the development of religious places of all religions;
- (g) to establish and maintain pre-school for the development of early childhood of needy children;
- 20 (h) to assist the relevant authorities with the consent of such authorities—
 - (i) in designing and implementing social mobilization programmes and educational and training programmes for the development of the children and women;
 - 25 (ii) to conduct self-employment oriented vocational training programmes on different subjects including engineering, technology, carpentry, driving and computer technology for the benefit of youth from the families of low income level; and
 - 30 (iii) to organize and conduct extra classes, seminars, workshops, lectures, exhibitions and educational tours with the view of promoting education of needy school children.

B. Y. Thudawe Social Welfare Foundation 3
(Incorporation)

- (i) to assist need students by way of offering scholarships;
- (j) to grant scholarships to any employee of any institution assisting the furtherance of the objects of the Corporation;
- (k) to promote understanding, co-operation and friendship with organization and institutions having objects similar to the objects of the Corporation; and
- (l) to identify children of school going age who do not go to school for various reasons and to assist in directing them towards schools and to support their education through providing social and economic assistance.
- (2) In the implementation of the objects specified in subsection (1) the Board shall ensure that such implementation shall be carried out without any distinction base on race, religion, caste, sex, political opinion, place of birth or any of such grounds.
- 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 Directors constituting of Chairman, Vice Chairman, Secretary, Assistant Secretary, Treasurer and another eleven members elected in accordance with such rules.
- (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 commencement of this Act.
- 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 them, including the power to acquire and hold property moveable, to open, operate and close bank accounts to
- Management of the affairs of the Corporation.
- Powers of the Corporation.

4 *B. Y. Thudawe Social Welfare Foundation*
 (Incorporation)

borrow or raise moneys 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.

5 **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
10 of the following matters:—

Rules of the Corporation.

- (a) classification of membership, admission, withdrawal, expulsion or resignation of members and membership fees payable;
- 15 (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;
- 20 (c) the appointment, power, 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; and
- 25 (e) the administration and management of the property of the Corporation.

(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 members of the Corporation shall be subject to
30 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 date shall be paid to the Corporation for the purpose of the Act. Debts due by and payable to the Foundation.
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 power, 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 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 among 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 Property remaining on dissolution.

6 *B. Y. Thudawe Social Welfare Foundation*
 (Incorporation)

be give 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.

- 5 **12.** (1) The Board of Directors of the Corporation shall cause proper account to be kept of all monyes recived and expended by the Corporation. Audit and Accounts of the Corporation.

(2) The financial year of the Corporation shall be the calendar year.

- 10 (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.

- 15 **13.** The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of such number of person 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.

- 20 **14.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of anybody 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.

- 25 **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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