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PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRILANKA

**BOARD OF DIRECTORS OF THE REHABILITATION
AND EDUCATION DEVELOPMENT FUND
(INCORPORATION)
ACT, No. 52 OF 1999**

[Certified on 14th December, 1999]

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*Board of Directors of the Rehabilitation and
Education Development Fund
(Incorporation) Act, No.52 of 1999*
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L.D. – O. 2/94.

AN ACT TO INCORPORATE THE REHABILITATION AND EDUCATION
DEVELOPMENT FUND

WHEREAS a Fund called and known as the “Rehabilitation and Education Development Fund” has heretofore been established in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Fund according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Fund has heretofore successfully carried out and transacted the several objects and matters for which it was established and the Board of Directors of the Fund has applied to be incorporated and it will be for the public advantage to grant the 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 Board of Directors of the Rehabilitation and Education Development Fund (Incorporation) Act, No.52 of 1999.

Short title.

2. From and after the date of commencement of this Act, the Board of Directors for the time being of such and so many persons as now are members of the Rehabilitation and Education Development Fund shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession under the name and style of the “the Board of Directors of the Rehabilitation and Education Development Fund” 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.

Incorporation of the Board of Directors of the Rehabilitation and Education Development Fund.

2 *Board of Directors of the Rehabilitation and
Education Development Fund
(Incorporation) Act, No.52 of 1999*

General Objects
of the
Corporation.

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

- (a) to improve and promote the educational, religious, cultural, social and economic welfare of the people of Sri Lanka ;
- (b) to work for the elimination of social and other inequalities among the people of Sri Lanka ;
- (c) to promote the overall welfare of the underdeveloped and socially disadvantaged people of Sri Lanka, particularly the persons belonging to “Navathar Community” living in the North and Eastern provinces of Sri Lanka, who have not made sufficient progress in overall social development ;
- (d) to foster the spirit of unity and to promote goodwill and friendship, among the people of Sri Lanka ;
- (e) to foster and promote the Tamil Language, Literature and Culture ;
- (f) to grant financial aid and award scholarships for primary, secondary and higher education ;
- (g) to maintain and administer, Scholarship Funds ;
- (h) to promote, encourage and assist in organising, competitions, debates, lectures, discussions, displays and demonstrations and to print and publish, magazines, brochures, study materials and other literature ;
- (i) to establish and maintain libraries, reading rooms and study circles ;

- (j) to provide consultancy and training services to promote education, management, trade, industries, agriculture and welfare activities ;
- (k) to provide assistance, financial or otherwise, to widows, orphans, destitutes, persons affected by civil disturbances and handicapped persons ;
- (l) to establish, administer and maintain, orphanages and homes for the aged and destitutes ;
- (m) to organise, promote and encourage, people to undertake projects relative to trade, agriculture or industry with or without loan assistance ;
- (n) to establish, maintain and administer a death Benevolent Fund, Housing and Loan Schemes ;
- (o) to assist, relief, rehabilitaion, reconstruction, housing and other welfare activities undertaken by state agencies and non-governmental agencies ; and
- (p) to do all such other acts and things as are or may be necessary or desirable for the attainment or promotion of the above mentioned objects 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 and 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 enter into any contracts, to invest its funds, to grant loans on personal guarantees, or otherwise and to engage, employ and dismiss officers and servants required for the carrying out the objects of the Corporation.

General powers of the Corporation.

Rules of the
Corporation.

5. (1) It shall be lawful for the corporation from time to time, at any general meeting and by a majority of the members present and voting, to make rules not inconsistent with the provisions of this Act and any other written law for all or any of the following matters :-

- (a) the appointment of the members of the Corporation and their powers, conduct and duties ;
- (b) the appointment, powers, conduct, duties and functions of the various officers, agents and servants of the Corporation ;
- (c) the criteria for selection of beneficiaries and the allocation of resources among different beneficiary groups ;
- (d) the collection, investment and disbursement of the funds of the Corporation and the opening, operation and closing of bank accounts ;
- (e) the procedure to be observed for the summoning and holding of meetings of the Corporation, the times, places, notices and agenda of such meetings, the quorum therefor and the conduct of business thereat ;
- (f) the administration and management of the property of the Coporation, the custody of its funds and the maintenance and audit of its accounts ;
- (g) the terms and conditions for affiliating the Federation of Community Advancement Societies and its member societies with the Corporation ; and
- (h) generally, for the managment of the affairs of the Corporation and the accomplishment of its objects.

(2) Any rule made by the Corporation for the time being in force or any rule which may hereafter be passed may be amended, altered, added to, or rescinded at a like meeting and in like manner as a rule made under sub-section (1).

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

(4) All members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

6. 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, 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 or immovable.

7. All debts and liabilities of the Rehabilitation and Education Development Fund existing on the day preceding the date of commencement of this Act, shall be paid and discharged by the Corporation hereby constituted and all debts due to, subscriptions and contribution, payable to, the Rehabilitation and Education Development Fund on that day shall be paid to the Corporation for the purposes of this Act.

Debts due and payable to the Fund.

8. The Federation of Community Advancement Societies and its member societies may be affiliated to the Corporation in accordance with the rules in force for the time being of the Corporation.

Federation of Community Advancement Societies and its member societies affiliated Corporate bodies of the Corporation.

Property
remaining on
dissolution.

9. (1) The Corporation shall not be dissolved unless by decision taken at a special general meeting of the members summoned for the purpose and by a three- fourths majority of the members present and voting thereat.

(2) If upon the dissolution of the Corporation there remains, after the satisfaction of all 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 the Federation of Community Advancement Societies and or to its affiliated member societies, for promotion and furtherance of its or their objects.

Seal of the
Corporation.

10. The seal of the Corporation shall be in the custody of the Managing Director and the seal may be altered in such manner as may be determined by the Corporation. The seal shall not be affixed to any instrument whatsoever, except with the sanction of the Corporation and in the presence of two Directors authorised by the Corporation who shall sign their names in token of their presence and such signing shall be independent of the signing of any person as a witness.

Audit and
accounts.

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

(b) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(c) The accounts of the Corporation shall be audited by a qualified auditor.

In this section, “qualified auditor” means –

- (i) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute ; or

- (ii) a firm of Accountants each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute.

13. Nothing in this Act contained shall prejudice or affect the rights of the Republic 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.

The rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency

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