



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

**NATIONAL KIDNEY FOUNDATION OF
SRI LANKA (INCORPORATION)
ACT, No. 34 OF 2006**

[Certified on 26th September, 2006]

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National Kidney Foundation of Sri Lanka
(Incorporation) Act, No. 34 of 2006

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L. D. —O. Inc. 32/2005

AN ACT TO INCORPORATE THE NATIONAL KIDNEY FOUNDATION OF
SRI LANKA

WHEREAS a foundation called and known as the “National Kidney Foundation of Sri Lanka” has heretofore been formed for the purpose of effectually carrying out and transacting all objects and matters connected with the said Foundation according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted the several objects and matters for which it was established and has applied to be 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 National Kidney Foundation of Sri Lanka (Incorporation) Act, No. 34 of 2006

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the “National Kidney Foundation of Sri Lanka” (hereinafter referred to as “the Foundation”) and shall hereafter be admitted 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 “the National Kidney Foundation of Sri Lanka” 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 National Kidney Foundation of Sri Lanka.

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

General objects of the Foundation.

- (a) to conduct public awareness programs, seminars, workshops and discussions to educate the public on Kidney diseases and timely treatment of the disease;

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- (b) to assist patients seeking treatment for kidney ailments including dialysis and kidney transplant ;
- (c) to raise funds from various sources to support patients in treatment and after care;
- (d) to join or work together with any other association or institution in Sri Lanka or abroad having similar objectives so as to assist persons suffering from disease affecting the kidney;
- (e) to encourage and facilitate researchers doing research on diseases affecting the kidney; and
- (f) generally to do any act or thing which is necessary to achieve the above objects.

Management of the affairs of the Corporation.

4. (1) The affairs of the Corporation shall, subject to the provisions of this Act, and any rule that may be made thereunder, be administered by a Board of Management consisting of four members.

(2) The first Board of Management of the Corporation shall consist of the members of the Board of Management of the Foundation holding office on the day immediately preceding the date of commencement of this Act.

(3) The Board shall cause a register to be maintained in which every person who on the date of passing of this Act, and every person thereafter duly admitted as a member of the Corporation hereby constituted shall have his name inscribed.

Rules of the Corporation.

5. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by the votes of not less than two-thirds of the members present and voting at such meeting to make rules not inconsistent with the provisions of this Act or any other written law, on all or any of the following matters :—

- (a) the classification of members and membership fees payable, their admission, withdrawal or expulsion from membership ;

- (b) the election of members to the Board of Management and its powers and duties;
- (c) the election of office bearers, their term of office resignation from, vactation of or removal from office and their powers;
- (d) the duties and functions of the officers, agents and servants of the Corporation ;
- (e) the procedure to be followed in the summoning and holding of meetings of the Board, the quorum therefor and the conduct of business thereat;
- (f) the administration and management of the property of the Corporation, including its fund;
- (g) the managment of the affairs of the Corporation and the accomplishment of its objects.

(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) The Members of the Corporation shall be subject to the rules of the Corporation.

6. The Corporation shall be able and capable in law to acquire and hold property both movable and immovable which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise and all such property which were in the name of the Foundation, on or before the commencement of this Act, shall be held by the Corporation for the purpose of this Act, and subject to the rules of the Corporation. Any such property held by the Corporation upon a trust shall be subject to the provisions of any written law relating to trusts.

Corporation
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Seal of the Corporation.

7. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of such number of office bearers as may be provided for in the rules 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.

Fund of the Corporation.

8. (1) The Corporation shall have its own fund and it shall consist of all moneys received by way of gifts, testamentary dispositions, grants, donations, contributions or fees in cash or kind.

(2) All moneys received shall be deposited in the name of the Corporation in one or more banks and be invested in any suitable manner to achieve the objects of the Corporation as may be decided by the Board of Management.

(3) All expenditure incurred by the Corporation in the exercise performance and discharge of the powers, duties and functions of the Corporation shall be paid out of the fund of the Corporation.

Accounts and Audits.

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

(2) The accounts of the Corporation shall be audited by a qualified auditor as may be determined by the Board of Management.

Saving of the rights of the Republic and other persons.

10. Nothing in this Act contained shall prejudice or affect the rights of the Republic or any body corporate or of any other persons.

Sinhala text to prevail in case of inconsistency.

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

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