



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

**FOUNDATION FOR CIVILIAN BRAVERY
(INCORPORATION) ACT, No. 4 OF 2009**

[Certified on 16th February, 2009]

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*Foundation for Civilian Bravery
(Incorporation) Act, No. 4 of 2009*

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L.D.O.—(INC) 12/2006

AN ACT TO INCORPORATE THE FOUNDATION FOR CIVILIAN BRAVERY

WHEREAS a Foundation called and known as “Foundation for Civilian Bravery” has heretofore been established in 1993 for the purpose of effectually carrying out and transacting all objects and matters connected with 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 is now desirable and expedient that the said Foundation should be incorporated and it will be for the public advantage to grant such application :

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Foundation for Civilian Bravery (Incorporation) Act, No. 4 of 2009.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members for the Foundation for Civilian Bravery (hereinafter referred to as “the Foundation”), or shall hereinafter 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 “Foundation for Civilian Bravery” and by that name may sue and be sued with full power and authority to have, and use a common seal and to alter the same at its pleasure.

Incorporation of the Foundation for Civilian Bravery.

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

General Objects of the Foundation.

(a) to foster and promote respect for the protection of Life;

- (b) to recognize and reward nationally and internationally the voluntary act of any Civilian to save life and on public property, at the risk of his life;
- (c) the promotion of safety measures for the protection of life ;
- (d) the advancement of education, knowledge and training on the various forms of dangers or misfortunes to Life and avoidance of them ;
- (e) to create awareness of various dangers to life and of safety methods and techniques ;
- (f) to promote activities in the sphere of protection of life and Civilian Bravery ;
- (g) to apply and promote measures against cruelty to human and non human life ;
- (h) to be the catalyst to establish an international organization to pioneer the concept of World Civilian Bravery and protection of life ;
- (i) to establish and maintain contact with international organizations having the same or similar objects for promoting Civilian Bravery and prevention of misfortunes and arrange international training, educational camps on misfortunes of mankind and its avoidance ;
- (j) to honour Civilian Bravery in protecting life ; and
- (k) to engage in and promote cultural activities and media exposures that help further the concept of Civilian Bravery and methods of life saving.

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 or furtherance of the objects of the Corporation or any one of them including the power to open, operate and close bank accounts, to borrow and raise moneys with or without security, to receive or collect grants and donations from persons in or outside Sri Lanka, to invest its funds and to engage, employ and dismiss officers and servants for the purpose of carrying out of the objects of the Corporation.

General powers of the Corporation.

5. (1) The affairs of the Corporation shall, subject to the rules in force for the time being of the Corporation, be administered by an Executive Council consisting of the President, the Honorary Secretary, Honorary Treasurer and not less than two other members nominated by the President in accordance with the rules of the Corporation, made under section 6 of this Act.

Management of the affairs of the Corporation.

(2) The first Executive Council of the Corporation shall be the members of the Executive Council of the Foundation holding office on the day preceding the date of commencement of this Act.

(3) Notwithstanding anything contained in subsection (1), the founder President shall be the President of the Corporation.

(4) Where the post of President becomes vacant after founder President, the next or nearest of kin of his family shall be the President of the Corporation.

6. (1) It shall be lawful for the Corporation from time to time, at any general meeting 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 of the following matters :—

Rules of the Corporation.

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- (a) classification of membership, fees payable by such class of members and their admission, withdrawal or expulsion of resignation ;
- (b) the election of members of the Executive Council and the office-bearers, resignation or removal from, or vacation of, office of, members of the Executive Council powers, duties and conduct of the members of the Executive Council, the appointment, powers, duties, functions and conduct of the various officers, agents and servants of the Corporation ;
- (c) the procedure to be observed at, and the summoning and holding of meetings of, Executive Council and the Corporaion, filling vacancies, notices and agenda of such meetings the quorum therefor and the conduct of business thereat ;
- (d) the qualifications and disqualifications for membership in the Executive Council and the Corporation ;
- (e) the administration and management of the property of the Corporation ; and
- (f) generally for the management of the affairs of the Corporation and the dissolution of the Corporation.

(2) Any rule made by the Corporation may be amended, altered or rescinded at a like meeting and in like manner as a rule made under subsection (1) of this section.

(3) The members of the Corporation shall be subject to the rules of the Corporation made under this section.

Fund of the Corporation.

7. (1) The Corporation shall have its own fund and all moneys received by way of testamentary dispositions, transfers, donations, contributions or fees shall be deposited in the credit of the Corporation in one or more Banks as the Executive Council shall determine.

(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.

(3) The moneys of the Corporation shall be applied solely towards the promotion of the objects as set forth herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever to the members of the Corporation.

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

Accounts and audits.

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

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

(4) In this section “qualified auditor” means —

- (a) 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 practice as an Accountant issued by the Council of such Institute ; or
- (b) 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 practice as an Accountant issued by the Council of such Institute.

9. The Seal of the Corporation shall be in the custody of the Secretary and it shall not be affixed to any instrument whatsoever except in the presence of two office bearers of the Corporation designated by the rules in force, who shall

Seal of the Corporation.

sign their names on the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.

Register of
Membership.

10. (1) The Council shall cause to be kept, a register of members in which every person on the day preceding the date of commencement of this Act is a member of the Centre and every person thereafter duly admitted as a member of the Corporation shall have his name inscribed.

(2) The register shall contain the following particulars :—

- (a) the name, address and occupation of each member of the Corporation;
- (b) the date on which the name of the member was inscribed in the register;
- (c) the date on which any person ceased to be a member.

Debts due by
and payable to
the Association.

11. All debts and liabilities of the Association existing on the day preceding the date of commencement of this Act, shall be paid and discharged by the Corporation, all debts due to, subscriptions and contributions payable to the Association on the day shall be paid to the Corporation for the purposes of this Act.

Corporation may
hold property
movable and
immovable.

12. 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, gifts, 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 of the Corporation, made under section 6 with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Limitation of
liability of
members.

13. 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.

14. 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 its members.

Property remaining on dissolution.

15. Nothing in this Act contained shall prejudice or affect the rights of the Republic, or of any body politic or corporate.

Saving of the rights of the Republic.

16. 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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