



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

**OUR KIDS ORGANIZATION
(INCORPORATION)
ACT, No. 23 OF 2008**

[Certified on 29th April, 2008]

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L. D.—O. (Inc.) 25/2004

AN ACT TO INCORPORATE THE OUR KIDS ORGANIZATION.

WHEREAS an Association called and known as “Our Kids Organization” has heretofore been formed in Sri Lanka for the purpose of effectually carrying out and transacting all objects and matters connected with the said Association, according to the rules agreed to by its members:

Preamble.

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 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 Our Kids Organization (Incorporation) Act, No. 23 of 2008.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Our Kids Organization (hereinafter referred to as “the Organization”) or shall hereafter be “admitted, as members of the Corporation hereby constituted, shall become a body corporate (hereinafter referred to as the (“Corporation”) with perpetual succession under the name and style of “Our Kids Organization”, and by that name may sue, and be sued, with full power and authority to have, and use a common seal and alter the same at its pleasure.

Incorporation of the Our Kids Organization.

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

General objects of the Corporation.

(a) to promote the recognition of mentally retarded children as an inherited resource of the country;

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- (b) to diagnose the special treatments required for mentally retarded children by proper counseling and provide necessary treatment accordingly;
- (c) to arrange home based programmes for children with slow mental development;
- (d) to provide special education for children with slow mental development;
- (e) to train the parents, guardians and other interested persons in interacting with and caring for children with slow mental development;
- (f) to seek the support and assistance from both local and international organizations for the welfare of mentally retarded children of Sri Lanka;
- (g) to campaign for social awareness of the needs of children who are mentally retarded;
- (h) to organize various seminars and workshops with a view to making the society aware that it is a fundamental duty of the society to work for the overall welfare of mentally retarded children;
- (i) to establish necessary institutions in suitable locations especially designed to satisfy the needs of mentally retarded children;
- (j) to render life-long care to mentally retarded children who would be rendered helpless when they come of age; and
- (k) to print, publish and distribute books, journals, leaflets, newspapers and magazines which the Corporation may consider desirable for the promotion and advancement of its objects.

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4. (1) The affairs of the Corporation shall, subject to the provisions of this Act, be administered by a Board of Trustees consisting of President, General Secretary, and such other members as may be elected in accordance with the rules of the Corporation made under section 7.

Management of the affairs of the Corporation.

(2) The first President and the General Secretary of the Board of Trustees of the Corporation shall be the President and the General Secretary of the Board of Trustees of the Organization, holding office on the day immediately preceding the date of commencement of this Act.

5. The Board of Trustees 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 Organization and every person thereafter duly admitted a member of the Corporation shall have his name inscribed.

Register of members.

6. Subject to the provisions of this Act and any other written law, the Corporation shall have the power—

Powers of the Corporation to acquire property, invest funds and raise loans, etc.

- (a) to purchase, acquire, rent, construct and otherwise obtain, lands or buildings which may be required for the purposes of the Corporation;
- (b) to borrow or raise money from the Government approved banks and other institutions (foreign and local) for the purposes of the Corporation with the approval of the Board of Trustees;
- (c) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate, maintain and close bank accounts;
- (d) to invest any funds not immediately required for the purposes of the Corporation in such manner as the Board of Trustees may think fit;

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- (e) to solicit and receive subscriptions, grants, donations and gifts of all kinds;
- (f) to enter into agreements or contracts with any person, company or body of persons;
- (g) to undertake, accept, execute, perform and administer any lawful trusts and conditions affecting any real or personal property;
- (h) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation, and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;
- (i) to train personnel in Sri Lanka or abroad for the purposes of the Corporation; and
- (j) to do all such other things as are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.

Rules of the
Corporation

7. (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, and other written law for all or any of the following matters:—

- (a) classification of membership, fee payable by each class of member, their admission, withdrawal, expulsion or resignation;
- (b) election of the Board of Trustees or vacation of or removal from office as office bearers and powers, duties and conduct of the Board of Trustees;
- (c) appointment, powers, duties, functions and conduct of the various officers, agents and servants of the Corporation;

- (d) the procedure to be observed at and the summoning and holding of meetings of the Board of Trustees, the Corporation or any sub-committee thereof, filling of vacancies, notices and agenda of such meetings, the quorum therefore and the conduct of business thereat;
- (e) the qualifications and disqualifications for membership in the Board of Trustees and the Corporation;
- (f) the administration and management of the property of the Corporation and the accomplishment of the objects of the Corporation;
- (g) subject to the provisions of subsection (2) of section 10 to determine the functions and duties of the Advisory Board.

(2) The members of the Corporation shall be subject to the rules of the Corporation made under subsection (1).

8. (1) The Corporation shall have its own fund and the Financial year shall be from the first day of January of any year to the thirty first day of December of the same year.

Fund of the Corporation.

(2) All moneys received by way of gift, bequest, donation, subscription, contribution fees or grants for and on account of the Corporation shall be deposited in a bank approved by the Board of Trustees to the credit of the Corporation.

In addition, the Board of Trustees shall determine a Government approved bank in which the money can be deposited in savings or in a current account.

9. (1) The Corporation shall cause proper accounts to be kept of all moneys received and expended by the Corporation.

Accounts.

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(2) The Annual Final Accounts of the Corporation should be examined and audited in every year by the Auditor of the Corporation and the reports should be submitted at the General Meeting.

Advisory Board.

10. (1) The Corporation may at a special general meeting and by simple majority of the members present thereat, elect an Advisory Board, consisting of not more than six members.

(2) The principal function of the Advisory Board so appointed shall be to advise the Board of Trustees on the manner in which the objects of the Corporation could be achieved.

(3) A member of the Advisory Board shall be entitled to be present and to speak, but not to vote, at any meeting of the Corporation or any meeting of the Board of Trustees, or any other committee established under this Act.

Debts due by and payable to the Organization.

11. All debts and liabilities of the organization 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 organization on that day shall be paid to the Corporation.

Property remaining on dissolution.

12. If upon 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 association or associations having objects similar to the objects of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or profit among its or their members. Such association or associations shall be determined by the members of the Corporation at, or immediately before, the time of dissolution of the Corporation.

13. The Seal of the Corporation shall be in the custody of the General Secretary and may be altered in such manner as may be determined by the Corporation and it shall not be affixed to any instrument whatsoever, except in the presence of the President and General Secretary who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signing of any persons as a witness.

Seal of the Corporation.

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

Saving of the rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

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