

CHAPTER 334

PRESIDENT'S FUND

Act No. 7 of 1978.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A FUND CALLED "THE PRESIDENT'S FUND" FOR THE PROVISION OF FUNDS FOR THE RELIEF OF POVERTY, FOR THE ADVANCEMENT OF EDUCATION OR KNOWLEDGE, FOR THE ADVANCEMENT OF RELIGION, FOR THE MAKING OF AWARDS TO PERSONS WHO HAVE SERVED THE NATION, AND FOR ANY OTHER PURPOSES BENEFICIAL OR OF INTEREST TO THE PUBLIC ; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[24th November. 1978.]

Short title. 1. This Act may be cited as the President's Fund Act.

subsections (3) and (4), hold office for such period as may be specified in the letter of appointment issued to him by the President.

Establishment of the President's Fund. 2. (1) There shall be established a Fund to be called "the President's Fund" (hereinafter referred to as " the Fund ").

(3) The President may in his absolute discretion revoke the appointment of any member appointed by him under paragraph (/) of subsection (2).

(2) The Fund shall, by the name assigned to it by subsection (1), be a body corporate, and shall have perpetual succession and a common seal and may sue and be sued in such name.

(4) Any member of the Board appointed under paragraph (/) of subsection (2) may at any time resign from the Board by a letter in that behalf addressed to the President.

Board of Governors of the Fund. 3. (1) The administration, management and control of the Fund shall be vested in a Board of Governors constituted as hereinafter provided.

(5) The Board may regulate the procedure in regard to its meetings and the transaction of business at such meetings.

(2) The Board of Governors of the Fund (hereinafter referred to as " the Board") shall consist of—

(6) No act or proceeding of the Board shall be deemed to be invalid by reason only of the existence of a vacancy among its members or any defect in the appointment of a member thereof.

(a) the President of the Republic;

(7) The President shall be the Chairman of the Board.

(b) the Prime Minister;

(c) the Speaker;

(d) the Leader of the Opposition;

4. (1) The Board shall, in the name of the Fund, have the power to— Powers of the Fund-

(e) the Secretary to the President; and

(a) acquire, hold or manage property, whether movable or immovable;

(f) two other members appointed by the President, each of whom shall, subject to the provisions of

(b) sell, mortgage, exchange or otherwise dispose of, or deal with, any

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property, whether movable or immovable, to which the Fund may become entitled;

(c) perform all such acts or things as may be necessary to give effect to the provisions of this Act.

(2) With effect from the 24th day of November, 1978, all moneys lying to the credit of the account named the "President's Fund Suspense Account" maintained at the Central Bank shall vest in the Fund.

The President's Fund Account.

5. The Board shall maintain an account called "The President's Fund Account" at the Central Bank and there shall be credited to such account—

(a) all moneys which vest in the Fund by reason of the operation of subsection (2) of section 4; and

(b) all moneys that may accrue to the Fund after the 24th day of November, 1978.

Purposes for which the moneys of the Fund may be applied.

6. It shall be the duty of the Board to apply the moneys belonging to the Fund in such manner as the Board may determine, subject to the directions of the President—

(a) for the relief of poverty; or

(b) for the advancement of education or knowledge; or

(c) for the advancement of religion or the maintenance of religious rites and practices; or

(d) for the making of awards to persons who have served the nation ; or

(e) for any other purpose, which is in the opinion of the President and the Board, of benefit or interest to the public.

Investment of moneys of the Fund.

7. Any moneys belonging to the Fund may be invested by the Board in such manner as the Board may determine, subject to such directions as may be given by the President.

8. The Board shall have the power, subject to the directions of the President, officers and servants of the Fund.

(a) to appoint such officers and servants of the Fund as may be necessary for the administration and management of the affairs of the Fund,

(b) to determine the remuneration payable to the officers and servants so appointed,

(c) to pay such remuneration and the other expenses incurred in the administration of the affairs of the Fund, out of the income of the Fund.

9. (1) The Board shall cause proper Audit and accounts to be kept of the income and accounts expenditure of the Fund.

(2) The Auditor-General shall audit the accounts of the Fund every year. For the purpose of assisting him in the audit of such accounts, the Auditor-General may employ the services of any qualified auditor who shall act under his direction and control.

(3) For the purpose of meeting the expenses incurred by him in the audit of the accounts of the Fund, the Auditor-General shall be paid out of the income of the Fund, such remuneration as the Board may determine. Any remuneration received from the Fund by the Auditor-General shall, after the deduction therefrom of any sums paid by him to any qualified auditor or auditors employed by him for the purpose of such audit, be credited to the Consolidated Fund.

(4) The Auditor-General shall, as soon as practicable after the thirty-first day of December of each year, prepare a report on the administration of the affairs of the Fund during that year together with a statement of the income and expenditure of the Fund, and of the investment of the moneys belonging to the Fund, during that year.

(5) In this section, the expression "qualified auditor" means—

(a) an individual who, being a member of the Institute of Chartered

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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

- (b) a firm of Chartered 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.

Auditor-General's report and statement to be placed before Parliament.

- 10.** The Auditor-General shall transmit the report and statement prepared by him in pursuance of subsection (4) of section 9 to

the Minister in charge of the subject of Finance, who shall cause such report and statement to be placed before Parliament.

- 11.** The Board may make such rules as it may consider necessary in relation to any matter affecting or connected with, or incidental to, the exercise, discharge and performance of its powers, functions and duties.

- 12.** All officers and servants of the Fund shall be deemed to be public servants within the meaning, and for the purposes, of the Penal Code.

- 13.** In this Act. " Central Bank " means the Central Bank of Ceylon established by the Monetary Law Act.

Power of Board to make rules.

Officers and servants of the Fund deemed to be public servants within the meaning of the Penal Code.

Interpretation.