



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

**MUSLIM FOUNDATION FOR CULTURE AND
DEVELOPMENT (INCORPORATION)
ACT, No. 28 OF 2008**

[Certified on 25th July, 2008]

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*Muslim Foundation for Culture and Development
(Incorporation) Act, No. 28 of 2008*

[Certified on 25th July 2008]

L. D.—O. (Inc.) 26/2005.

AN ACT TO INCORPORATE THE MUSLIM FOUNDATION FOR CULTURE AND
DEVELOPMENT

WHEREAS a foundation called and known as Muslim Foundation for Culture and Development has heretofore been established in Sri Lanka 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 formed and 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 Muslim Foundation for Culture and Development (Incorporation) Act, No. 28 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 Muslim Foundation for Culture and Development (hereinafter referred to as the "Foundation") and shall hereafter be admitted as 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 Muslim Foundation for Culture and Development 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 as its pleasure.

Incorporation of Muslim Foundation for Culture and Development.

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

General objects of the Corporation.

(a) to promote Islamic culture and morality and encourage the study of Islam among Muslims in Sri Lanka ;

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- (b) to educate Muslim youth and the public on the ill-effects of consumption of liquor, drugs and smoking and to liberate the Muslim youth who are addicted to such habits ;
- (c) to promote and enhance the national integrity and peace, ethnic harmony and social justice and equality in Sri Lankan context ;
- (d) to educate Muslims to respect other religions, to promote the concept and practice of religious tolerance, in general, and to promote integrity between Muslims and other religious communities in Sri Lanka ;
- (e) to promote and encourage the study of Islamic religion and Arabic Language and to facilitate the studies in fields of human rights, children's rights and women's rights ;
- (f) to print, publish and distribute books, journals, magazines and pamphlets on Islam and other general education related to Islam; and
- (g) to establish and maintain friendly relations with other religious, social and Islamic organizations, engaged in similar pursuits, in and outside Sri Lanka ;
- (h) to promote social, economic, cultural and educational welfare activities of Sri Lanka.

Management of
the affairs of the
Corporation.

4. (1) The affairs of the Corporation shall, subject to the rules of the Corporation, made under section 06 be administered by a Board of Management.

(2) The first Board of Management of the Corporation shall be the Board of Management of the Muslim Foundation for Culture and Development, holding office on the day preceding the date of the commencement of this Act.

(3) It shall be lawful for the Board of Management at a meeting of the Board of Management by a majority of not less than two thirds of the members present and voting to co-opt any useful member of the Corporation, subject to the rules of the Corporation, to fill any vacancy that may arise by death, resignation, or removal of any members of the board.

5. 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 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 and close bank accounts, to borrow or raise moneys with or without security, to receive and obtain donations, to raise and collect funds and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

General
powers of the
Corporation.

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

Rules of the
Corporation.

- (a) the admission, classification of membership withdrawal or expulsion of members ;
- (b) the election, of the members of the Board of Management and powers, conduct and duties of the members of the Board of Management ;
- (c) the election of office bearers, their term of office, resignation from or vacation of or removal from office of office bearers and their powers, conduct and duties ;
- (d) the procedures to be followed in the summoning and holding of meetings of the Board of Management, the quorum therefor and the conduct of business thereat; and

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(e) the administration and management of the funds and properties of the Corporation.

(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.

Debts due and payable to the Corporation.

7. All debts and liabilities of the Foundation existing on the day immediately preceding the date of commencement of this Act, shall be paid by the Corporation and all debts due, subscriptions and contributions payable to the foundation on that day shall be paid to the Corporation for the purpose of this Act.

Corporation may hold property movable or immovable.

8. The Corporation shall be able and capable in law, to acquire and hold any 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 shall be held by the Corporation for the purpose of this Act, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Property remaining on dissolution.

9. If upon dissolution of the Corporation there remains any property after the satisfaction of all its debts and liabilities, 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 rules prohibited from distributing any income or profit among its or their members. Such Institution or Institutions shall be determined by the members of the Corporation at or immediately before the time of dissolution of the Corporation.

Accounts and Audits.

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

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

11. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the Chairman and the Honorary Secretary or the Honorary Treasurer 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.

Seal of the Corporation.

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

Saving of the right of the republic and others.

13. In 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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