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

**Part II of March 28, 2024**

**SUPPLEMENT**   
*(Issued on 04.04.2024)*



**AL FALAH FOUNDATION (INCORPORATION)** *(Private Members’ Bill)*   
**A**   
**BILL**   
**to incorporate the Al Falah Foundation**   
*To be presented in Parliament by Hon. A. H. M. Fowzie, M.P.*

*for Colombo District*   
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| *Al Falah Foundation (Incorporation)* | 1 |

AN ACTTOINCORPORATETHE AL FALAH FOUNDATION

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

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 10 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 Al Falah Foundation Short title (Incorporation) Act, No. of 2024.

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| 15 | **2.** | From and after the date of commencement of this Act, | Incorporation |
| of the |
| such and so many persons as now are members of the “Al Falah | |
| Al Falah |
| Foundation” (hereinafter referred to as the “Foundation”) or | | Foundation |

shall hereafter be admitted as members of the Corporation hereby constituted shall be a body corporate with perpetual 20 succession under the name and style of “Al Falah Foundation” (hereinafter referred to as the “Corporation”) and by that name may sue and be sued and have full power and authority to have and use a common seal and alter the same at its pleasure.

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| 25 | **3.** | The general objects for which the Corporation is | General |
| constituted are hereby declared to be— | | objects of the |
| Corporation |

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(*a*) to promote education in skills development at all   
level;

(*b*) to establish information technology centers for the   
advancement of scientific studies;

5 (*c*) to provide self-employment opportunities for unemployed;

(*d*) to participate in social, cultural and economic   
development of the Country; and

(*e*) to assist and support humanitarian activities.

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| 10 | **4.** | (1) The affairs of the Corporation shall, subject to the | Management |
| of the affairs |
| other provisions of this Act and the rules in force for the time | |
| of the |
| being of the Corporation be administered by a Committee | |
| Corporation |
| of Management consisting of not more than eleven members | |

including of Chairman, Secretary, Treasurer elected in 15 accordance with such rules.

(2) The First Committee of Management shall consists of the members of the Committee of Management holding office on the day immediately preceding the date of commencement of this Act.

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| 20 | **5.** | Subject to the provisions of this Act and any other | General |
| written law, the Corporation shall have the power to do, | | Powers of the |
| Corporation |
| 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 25 of them, including the power to acquire and hold property moveable, to open, operate and close bank accounts, to borrow or raise moneys with or without security or collect or accept grants and donations, to invest funds and to engage, employ and dismiss officers and servants required for the

30 carrying out of the objects of the Corporation.

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**6.**  (1) It shall be lawful for the Corporation, from time to Rules of the time, at any general meeting of the members and by a majority Corporation

of not less than two-thirds of the members present to make rules not inconsistent with the provisions of this Act or any 5 other written law, on all or any of the following matters:—

(*a*) the classification of members and the admission,   
 withdrawal, resignation, expulsion of members;

(*b*) the election of office bearers, the resignation from, vacation of or removal from office of office-bearers 10 and their powers, conduct and duties;

(*c*) the election of the members of the Committee of   
Management and its powers, conduct and duties   
and term of the Committee members;

(*d*) the procedure to be observed at and the summoning 15 and holding of meetings of the Committee of Management or sub Committee and of the time, places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereof;

(*e*) the powers, conduct, duties and functions of the 20 various officers, agents and servants of the Corporation;

(*f*) the administration and management of the porperty   
of the Corporation, the custody of its fund and the   
maintenance and audit of its accounts; and

25 (*g*) the management 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).

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(3) Every member of the Corporation shall be subject to the rules of the Corporation.

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| 5 | **7.** | All debts and liabilities of the Foundation on the day | Debts due by |
| preceding the date of commencement of this Act, shall be | | and payable |
| to the |
| paid and discharged by the Corporation hereby constituted | | Foundation |

and all debts due to, subscriptions and contributions payable to the Foundation on that date shall be paid to the Corportion for the purposes of this Act.

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| 10 | **8.** | (1) Corporation shall have its own fund and all moneys | Fund of the |
| Corporation |
| heretofore or hereafter to be received by way of gifts, | |

bequests, donations, subscriptions, contributions, fees or grants for and on account of the Corporation shall be deposited to the credit of the Corporation in one or more banks as the Committee of Management shall determine.

15 (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.

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| 20 | **9.**  The Corporation shall be able and capable in law, to | Corporation |
| acquire and hold any property, movable and immovable, | may hold |
| property |
| which may become vested in it by virtue of any purchase, |
| movable and |
| grant, lease, gift, testamentary disposition or otherwise and | immovable |

all such property shall be held by the Corporation for the purposes of this Act and subject to the rules of the Corporation 25 made under section 6, with power to sell, mortgage, lease,

exchange or otherwise dispose of the same.

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| 30 | **10.** | If upon the dissolution of the Corporation there | Property |
| remains after the satisfaction of all its debts and liabilities | | remaining on |
| dissolution |
| any property whatsoever, such property shall not be | |
| distributed among the members of the Corporation, but shall | |

*Al Falah Foundation (Incorporation)* 5

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 their members.

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| 5 | **11.** | (1) The financial year of the Corporation shall be | Audit and |
| the calendar year. | | accounts of |
| the |
| (2) The Corporation shall cause proper accounts to be | | Corporation |

kept of its income and expenditure, assets and liabilities and all other transaction of the Corporation.

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| 10 | (3) The accounts of the Corporation shall be audited in every year by the Auditor-General or a qualified auditor |

appointed by the Auditor-General.

(4) In this section “a qualified auditor” means–

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| 15 | (*a*) | an individual who, being a member of the Institute |
| of Chartered Accountants of Sri Lanka, or any other |
| institute established by law, possesses a certificate |

to practise as an Accountant, issued by the Council   
of such Institute; or

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| 20 | (*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 any other institute   
established by law possesses a certificate to practise   
as an Accountant issued by the Council of such   
Institute.

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| 25 | **12.** | The Seal of the Corporation shall not be affixed to | Seal of the |
| any instrument whatsoever except in the presence of two | | Corporation |

members of the Committee of Management, 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

30 as a witness.

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| 5 | 6 | *Al Falah Foundation (Incorporation)* | Saving of the |
| **13.** | Nothing in this Act contained shall prejudice or |
| affect the rights of the Republic or of any body politic, or | | rights of the |
| Republic and |
| corporate or of any other persons. | |
| others |
| **14.** | In the event of any inconsistency between the | Sinhala text |
| Sinhala and Tamil texts of this Act, the Sinhala text shall | | to prevail in |
| prevail. | | case of |
| inconsistency |

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