



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

**COUNCIL OF MUSLIMS OF SRI LANKA
(INCORPORATION)**

A

BILL

to incorporate the Council of Muslims of Sri Lanka

*Presented by Hon. Abdullah Mahrooff M.P. for Trincomalee District
on 22nd October, 2015*

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Ordered by Parliament to be printed

[Bill No. 13]

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Council of Muslims of Sri Lanka (Incorporation)

AN ACT TO INCORPORATE THE COUNCIL OF MUSLIMS OF SRI LANKA

WHEREAS an umbrella non political organization called Preamble.
and known as the Council of Muslims of Sri Lanka founded
in 1983 by Respected leader of the Muslim community and
the country Sir Razik Fareed, Dr. Badiudin Mahamud, Dr. M.
5 C. M. Kaleel, A. Aziz, Sir A. W. M. Ameer, M. H. M. Ashraff
and leading leaders among the living today has heretobefore
been formed in Sri Lanka for the purpose of promoting socio-
economic, cultural, educational and political advancement
in the Muslim community and co-ordinate the activities of
10 the Muslim Organizations in Sri Lanka and consolidate and
channel the resources to foster peace and harmony among
peoples and achieve national unity :

AND WHEREAS the said Organization has heretofore
successfully carried out and transacted several objects and
15 matters for which it was formed and has applied to be
incorporated as it is 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 :—

20 **1.** This Act may be cited as the Council of Muslims of Short title.
Sri Lanka (Incorporation) Act, No. of 2015.

2. From and after the date of commencement of this Act, the
members of the Council of Muslims of Sri Lanka (hereinafter
referred to as the “Council”) and their successors, elected or
25 appointed in accordance with the rules made hereunder, shall
be and are hereby constituted a body corporate (hereinafter
referred to as “the Corporation”) with perpetual succession,
under the name and style of the Council of Muslims of Sri
Lanka and by that name may sue and be sued in all courts,
30 with full power and authority to have and use a common seal
and the alter the same at its pleasure.

Incorporation
of the
Organization.

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

- (a) to provide for the co-ordination of the activities of the various Muslim organizations in the country;
- 5 (b) to consolidate available talents and the resources of the Muslim community in order to foster peace and friendship among all peoples;
- (c) to promote national unity, communal harmony among all peoples;
- 10 (d) to provide maximum benefit to the community in particular and the Country in general;
- (e) to study and assess the problems facing the community in all spheres of life and to find appropriate solutions to such problems.
- 15 (f) to provide forum for the voice of the Muslims of Sri Lanka and to ensure proper representation of the Muslims in national forum ; and
- (g) to serve as a co-ordinating centre for all Muslim Organizations, to plan and undertake any other
20 activities which are necessary in the interest of the Muslim Community.

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

- 25 (a) to perform and execute all such acts, matters and things whatsoever as are necessary or expedient for the promotion or furtherance of the objects of the Corporation;
- (b) the power to open, operate and close, bank accounts, to borrow or raise money with or without security;

- (c) to receive or collect grants and donations from local or foreign sources;
 - (d) to invest the funds of the Corporation, to construct any building on any land vested in or acquired or held by the Corporation;
 - (e) to appoint, employ and dismiss or terminate the services of such officers and servants as are required for the carrying out of the objects of the Corporation;
 - (f) to enter into agreements or contracts with any person or body of persons;
 - (g) to perform and executive all other matters and things as are necessary or expedient for the attainment of the objects of the Corporation;
- 15 **5.** (1) The management, control and administration of the Corporation shall, subject to the provisions of this Act and the rules in force for the time being of the Corporation, vest in a Governing Council (hereinafter referred to as “the Board of Governors”) consisting of the office bearers and
20 such other persons as may be provided for in such rules and elected in accordance therewith.
- (2) The first Board of Governors of the Corporation shall consist of the members of the Council of the association whose names appear in the schedule to this Act.
- 25 (3) It shall be lawful for the Board by two third majority of votes to co-opt any prominent member of the Corporation to the Board of Governors and subject to the Rules of the Corporation fill any vacancy that any arise by death, resignation or removal of any member of the Board of
30 Governors.

Management
of the affairs
of the
Corporation.

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(4) The office bearers namely President, Vice President, Secretary General, Asst. Secretary General, Treasurer and Asst. Treasurer shall be elected by the Board of Governors.

5 **6.** (a) The membership shall be decided by invitation and decisions of the Governing Council. Register of members.

(b) A member may cease to be a member upon death or resignation or decision of the governing Council.

10 **7.** (1) It shall be lawful for the Board of Governors to recommend from time to time and approved by the Corporation at any general meeting of the members and by the votes of not less than two third of the members present and voting, to make such rules, as are not inconsistent with the provisions of this Act or any other written law, for the management of the affairs of the Corporation and accomplishment of its objects. Such rules when made may at a like meeting and in like manner be altered, added to, amended or rescinded. Rules of the Corporation.

20 (2) The rules of the Council in force on the day immediately preceding the date of commencement of this Act, shall be deemed to be the rules of the Corporation made under this section insofar as they are not inconsistent with the provisions of this Act or any other written law.

(3) The members of the council shall be subject to the rules of the Corporation.

25 **8.** All debts and liabilities of the Council existing on the day preceding the date of commencement of this act shall be paid by the Corporation and debts due to and subscriptions and contributions payable to the Council on such day shall be paid to the Corporation for purposes of this Act. Debts due by and payable to the Council.

30 **9.** The Corporation shall, subject to the rules of the Corporation, be able and capable in law to take and hold any property movable or immovable, which may become vested Property of the Corporation.

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 purposes of this Act, and subject to the rules in force for the time being of the Corporation
5 with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

10. (1) The Corporation shall have its own fund and all money heretofore or hereafter to be received by way of gift, bequest, donation, subscription, contribution, fees or grants
10 and on account of the Corporation shall be deposited in one or more banks as the Corporation shall determine.

Fund of the Corporation.

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

Accounts and Audit.

15 (2) The accounts of the Corporation shall be examined and audited at least ones in every year and the correctness of income and expenditure account and balance sheet certified by the auditor or auditors who shall be the associate members of the Institute of Accountants of Sri Lanka appointed by the
20 Corporation.

12. The Board of Governors shall have the power to appoint any committee and to take such other steps as may be found necessary, from time to time, for the maintenance of professional standards and discipline among its members.

Appointment of committee.

25 **13.** The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of such number of persons as may be provided for in the rules of the Corporation, who shall sign their names on the instrument in token of their presence and such signing shall be independent
30 of the signing of any person as a witness.

Seal of the Corporation.

14. Nothing in this Act, contained shall prejudice or affect the rights of the republic or of any body politic or corporate or of any other persons, except such as are mentioned in this Act, and claiming by, from or under them.

Savings of rights of the Republic and others.

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15. 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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