



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

ISHA-ATHUL ISLAM HOME
FOR THE ORPHANS
(INCORPORATION)
ACT, No. 34 OF 1984

[Certified on 23rd August, 1984]

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(Incorporation) Act, No. 34 of 1984

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L.D.—O. 43/83

AN ACT TO INCORPORATE THE ISHA-ATHUL ISLAM HOME FOR
THE ORPHANS.

WHEREAS an institution called and known as the "Isha-athul Islam Home for the Orphans" has heretofore been established at Dharga Town, Kalutara, by the Isha-athul Islam Organization for the purpose of bringing up Muslim male orphans, preferably those from the Kalutara District :

Preamble

AND whereas the affairs and objects of the said Home have heretofore been successfully carried out by a Board of Directors appointed by the Executive Committee of the said Isha-athul Islam Organization :

AND whereas the said Board of Directors of the said Home has applied for the incorporation of the said Home, 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 Isha-athul Islam Home for the Orphans (Incorporation) Act, No. 34 of 1984.

Short title.

2. From and after the date of commencement of this Act, the persons for the time being constituting the Board of Directors of the Isha-athul Islam Home for the Orphans (hereinafter referred to as "the Home") and their successors shall be and become a body corporate with perpetual succession under the name and style of the "Isha-athul Islam Home for the Orphans" (hereinafter referred to as "the Corporation") and by that name may sue and be sued in all courts, with full power and authority to have and use a common seal and to alter the same at their pleasure.

Incorporation of the Isha-athul Islam Home for the Orphans.

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

General objects of the Corporation.

- (a) to bring up needy male Muslim orphans, preferably those from the Kalutara District ;
- (b) to provide them with facilities for their educational and religious development ;
- (c) to provide them with opportunities for vocational training ; and
- (d) to guide and assist them in accordance with their attainments towards higher education or employment.

Board of
Directors

4. (1) The general government and direction of the Corporation shall be vested in a Board of Directors which shall consist of twenty members, comprising—

- (a) eighteen members appointed by the Executive Committee of the Isha-athul Islam Organization ; and
- (b) two other members, being the persons for the time being holding office as the Secretary and the Treasurer, respectively, of the Isha-athul Islam Organization.

(2) In the event of any vacancy occurring in the membership of the Board of Directors by reason of the—

- (a) death ;
- (b) resignation ; or
- (c) removal by the Executive Committee of the Isha-athul Islam Organization,

of any of the members referred to in paragraph (a) of subsection (1), such vacancy shall be filled by the Executive Committee of the Isha-athul Islam Organization.

(3) No act or proceeding of the Board of Directors shall be deemed to be invalid by reason only of the existence of any vacancy among its members.

(4) The first Board of Directors of the Corporation shall be the Board of Directors of the Home holding office at the time of the coming into operation of this Act and that Board shall continue to function until the expiry of three years from the date of the coming into operation of this Act. Thereafter the term of office of every successive Board shall be three years.

Executive
Committee of
the Board of
Directors.

5. (1) The day to day affairs of the Corporation shall, subject to the rules of the Corporation and the general direction of the Board of Directors, be administered by an Executive Committee of the Board of Directors which shall consist of—

- (a) the Chairman, Secretary, Treasurer, Manager and two other members elected at the annual general meeting of the Board in accordance with the rules of the Corporation ; and

(b) the persons for the time being holding office as the Secretary and Treasurer, respectively, of the Isha-athul Islam Organization.

(2) The first Executive Committee of the Board of Directors of the Corporation shall be the Executive Committee of the Home holding office at the time of the coming into operation of this Act and that Executive Committee shall continue to function until the expiry of three years from the date of coming into operation of this Act. Thereafter the term of office of every successive Executive Committee shall be three years.

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

General powers of the Board of Directors

- (a) appeal for and raise funds, and receive grants, gifts or donations in cash or kind, whether from local or foreign sources ;
- (b) acquire in any manner whatsoever and hold, take or give on lease or hire, mortgage, pledge, sell or otherwise dispose of, any movable or immovable property ;
- (c) appoint, employ, remunerate and exercise disciplinary control over its officers and servants ;
- (d) open, operate and close bank accounts, and borrow or raise money, with or without security ; and
- (e) do all such other acts and things as are incidental or conducive to the carrying out of the objects of the Corporation.

7. It shall be lawful for the Board of Directors, from time to time, at any general meeting and by the votes of not less than two-thirds of the members present and voting, to make rules, not inconsistent with the provisions of this Act, for the management of the affairs of the Corporation and the 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.

Isha-athul Islam Home for the Orphans
(Incorporation) Act, No. 34 of 1984

Debts due by
and payable
to the
Home.

8. All debts and liabilities of the Home existing at the time of the coming into operation of this Act shall be paid by the Corporation hereby constituted, and all debts due to and contributions payable to the Home shall be paid to the Corporation for the purposes of this Act.

How the
seal of the
Corporation
is to be
affixed.

9. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the Chairman or the Secretary or the Treasurer and one other member of the Board of Directors, 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.

Saving of
the rights of
the Republic
and others.

10. 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 those claiming by, from or under them.

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