



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRILANKA**

ALHASAN FOUNDATION (INCORPORATION)

A

BILL

to incorporate the Alhasan Foundation

*Presented by Hon. Hunais Farook M. P. for Vanni District
on 23rd July, 2013*

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Alhasan Foundation (Incorporation)

AN ACT TO INCORPORATE THE ALHASAN FOUNDATION

WHEREAS a Centre called and known as “Alhasan Foundation” has heretofore been established in Colombo in Sri Lanka, for the purpose of effectually carrying out and transacting all objects and matters connected with the said Association 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 and advantage to grant 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 Alhasan Foundation (Incorporation) Act, No. of 2013.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Alhasan Foundation (hereinafter referred to as “the Foundation”) and such other persons as shall hereafter be admitted, as members of the Corporation hereby constituted, shall be and become a body corporate (hereinafter referred to as “the Corporation”) with perpetual succession under the name and style of “Alhasan Foundation” (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 alter the same at its pleasure.

Incorporation of the Alhasan Foundation.

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

General objects of the Corporation.

(a) to establish, maintain and conduct Islamic Religious Schools, classes and book stalls for promotion and achievement of the objects of the Foundation;

2 *Alhasan Foundation (Incorporation)*

- (b) the study and promotion of the Islamic religion and culture and the inculcation of the principles of service of the community and the country through its teachings;
- 5 (c) the teaching of Quran and traditions of Prophet Mohamed (P.B.U.H.) to the Muslims;
- (d) the collection of Zakath (Wealth Tax Obligation of Muslims) to distribute among the Muslims to fulfill their economic needs;
- 10 (e) the teaching of basic Islam to elderly Muslims and the recitation of Quran;
- (f) the establishment of a Counseling Centre to solve the problems among Muslims according to the teachings according to the teachings of Islam;
- 15 (g) the establishment of a Comprehensive Library and the translation of rare and important books to Sinhala and Tamil; or any other language as necessary;
- (h) the establishment of a well equipped Institution to train students and teachers of Arabic Colleges to be qualified in Information Technology;
- 20 (i) the collection of funds and other donations for the aforesaid purposes;
- (j) the use and application of the said funds to grant scholarships to provide career guidance and enhance educational; and
- 25 (k) to do all such other acts and things as are necessary, conducive or incidental to the attainment of all or any of the objects of the Foundation.

4. 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 whatsoever, as are necessary or desirable for the promotion or furtherance of the objects and the Corporation or any one of them, including the power—
- 5
- (a) to purchase, acquire, rent, construct or otherwise obtain, land or buildings which may be required for the purposes of the Corporation;
- 10 (b) to receive grants, gifts or donations, in cash or kind whether from local or foreign sources;
- (c) to make, draw, accept, discount, endorse, negotiable, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open operate, maintain and close current, savings and deposit accounts in any bank;
- 15
- (d) to invest any funds not immediately required for the purposes of the Corporation in such manner as the Board may think fit;
- 20 (e) to appoint, employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation;
- (f) to train personnel in Sri Lanka and/ or abroad for the purpose of the Corporation; and
- 25
- (g) to do all other necessary or expedient for the proper and effective carrying out of the objects of the Corporation.
5. (1) The affairs of the Corporation shall, subject to other provisions of this Act and the rules in force for the time being of the Corporation, be administered by a Board of Directors consisting of Chairman and a Secretary and Treasurer elected in accordance with such rules.
- 30
- General powers of the Corporation.
- Management of the affairs of the Corporation.

(2) The Affairs of the Corporation shall, subject to the other provisions of this Act and the rules in force for the time being, be administered by the Board of Management consisting seven (7) members inclusive of the Chairman,
5 Vice Chairman, the General Secretary, Deputy Secretary and the Treasurer elected according to the rules of the Corporation.

(3) The first Board of Directors of the Corporation shall consist of the members of the Board of Administration of the
10 Foundation holding office on the day immediately preceding the date of commencement of this Act.

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

Rules of the Corporation.

(a) the classification of membership, the resignation
20 from or vacation of or removal from office of office bearers and their powers, conduct and duties;

(b) the election of the members of Board of Management and the Executive Committee and their powers, conduct and duties and the terms of
25 office of members of the Board of Management and the Executive Committee;

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

(d) the procedure to be observed and the summoning
30 and holding of meetings of the Board of Management and the Executive Committee, the

times, places, notices and agenda of such meetings, the quorum thereof and the conduct of business thereat;

- 5 (e) the administration and management of the property of the Corporation, the custody of its funds and maintenance and audit of its accounts; and
- (f) generally for the management of the affairs of the Corporation and the accomplishment of its objects.

10 (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 in force for the time being of the Corporation.

7. The Foundation shall have its own fund to which— Finance of the Foundation.
- 15 (a) all the sums of money granted or donated to the Association by any foreign or local, public or private authority or individual; and
- (b) all the sums of money received by the Association in the carrying on of its affairs;
- 20 (c) the funds of the Association which are not immediately necessary, shall be deposited in any Bank or other institution and the proceeds by way of dividends on such deposits shall be utilized for the purposes of the Association;
- 25 (d) The Bank Account or Accounts of the Association with any Bank or Banks shall operate and all cheques drawn, signed and endorsed shall be signed by any two members or by any one member and the Secretary or Treasurer.

8. All debts and liabilities of the Foundation existing on the day preceding the date of the commencement of this Act, shall be paid by the Corporation hereby constituted and all debts due to subscription and contribution payable to the Foundation on that day shall be paid to the Corporation for the purpose of this Act.

Debts due by and payable to the Foundation.

9. (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.

Accounts and Audit.

10 (2) The accounts of the Corporation shall be audited by a qualified auditor at least once a year.

10. The Corporation shall be able and capable in law to acquire and hold any property, 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, and subject to the rules in force for the time being of the Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable and immovable.

11. 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 in force for the time being of the Corporation, 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. If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the Corporation but shall be given or transferred to some other Association or Associations and which is or are by the rules there of prohibited from distributing any income or property among

Property remaining on dissolution.

its or their members. Such Association or Associations shall be determined by the Board at or immediately before, the dissolution of the Corporation.

5 **13.** Nothing in this Act contained shall prejudice or affect the rights of the republic or of anybody politic or corporate or of any other persons, except such as are mentioned in this act and those claiming by, from or under them.

Saving of the rights of the Republic and others.

10 **14.** In the event of any inconsistency between the Sinhala and the Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

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