



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

**HIDHAYATHUL ISLAM ASSOCIATION
(INCORPORATION)
ACT, No. 40 OF 1992**

[Certified on 17th August, 1992]

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**Hidayathul Islam Association (Incorporation)
Act, No. 40 of 1992**

[Certified on 17th August, 1992]

L.D.—O 65/90

AN ACT TO INCORPORATE THE HIDHAYATHUL ISLAM ASSOCIATION.

WHEREAS an Association called and known as the "Hidayathul Islam Association" has heretofore been established in Colombo for the purpose of effectually carrying out and transacting all matters connected with the said Association according to the rules agreed to by its members :

Preamble.

AND whereas the said Association has heretofore successfully carried out and transacted the several objects and matters for which it was established 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 Hidayathul Islam Association (Incorporation) Act, No. 40 of 1992.

Short Title.

2. From and after the date of commencement of this Act, the persons who are the present members of the Hidayathul Islam Association (hereinafter referred to as "the Association"), or shall hereafter be admitted 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 "Hidayathul Islam Association" 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 its pleasure.

Incorporation
of the
Hidayathul
Islam
Association.

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

General
objects
of the
Corporation.

(a) to conduct free Quranic and religious classes in the form of Madhrasa for the needy and orphan children and to distribute religious or school books to deserving children ;

(b) to foster the spirit of unity, and to promote goodwill and friendship, among Muslims ;

(c) to organise religious lectures for the public on Islamic subjects ;

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- (d) to work for the religious and educational upliftment and for the social and economic welfare, of Muslims;
- (e) to assist those who are desirous of embracing Islam;
- (f) to advocate the abolition of the dowry system among Muslims;
- (g) to hold competitions, and award prizes with a view to advancing the education of Muslim children, and inculcating a religious outlook among Muslim children;
- (h) to maintain a library and a reading room for Muslims and for the general public;
- (i) to establish and maintain free religious schools for Muslims;
- (j) to promote mutual co-operation, goodwill and understanding between parents and the Madhrasa Muallim; and
- (k) to take all other steps as are necessary or desirable for the promotion of the above mentioned objects.

Committee
of Manage-
ment.

4. (1) The affairs of the Corporation shall, subject to the rules in force for the time being of the Corporation, be administered by a Committee of Management consisting of such number of persons as may be provided for in such rules and elected in accordance therewith.

(2) The first Committee of Management of the Corporation shall be the Committee of Management of the Association holding office on the day preceding the date of commencement of this Act.

(3) The Committee of Management of the Corporation shall in the administration of the affairs of the Corporation consult and seek the assistance of the Board of Trustees referred to in section 5.

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5. (1) There shall be a Board of Trustees consisting of such number of persons as may be provided in the rules of the Corporation and elected in accordance with such rules.

Board of
Trustees.

(2) The Board of Trustees may give general or special directions to the Committee of Management as regards the administration of the affairs of the Corporation, and it shall be the duty of the Committee of Management to comply with such directions.

(3) The first Board of Trustees of the Corporation shall be the Board of Trustees of the Association holding office on the day preceding the date of commencement of this Act.

6. (1) Subject to the provisions of this Act, and any other written law, the Corporation shall, have the power to do all things necessary or desirable for the promotion or furtherance of the objects of the Corporation.

Powers and
functions
of the
Corporation.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Corporation shall have the following powers and functions:—

- (a) to receive or collect gifts, grants, donations, subsidies and subscriptions, whether in cash or otherwise, from local or foreign sources;
- (b) to acquire in any manner whatsoever, and to hold, take or give on lease or hire, mortgage, pledge, sell or otherwise dispose of, any movable or immovable property;
- (c) to open, operate and close bank accounts, and to borrow or raise moneys, with or without security;
- (d) to invest the funds vested in, or belonging to, the Corporation in adequate securities or in the purchase or acquisition of such lands, buildings, goods, chattels, or other property as may be proper or necessary for attaining the objects of the Corporation;
- (e) to erect or cause to be erected, any building or structure on any land belonging to, or held by, the Corporation;
- (f) to choose a Board of Supporters to advise the Corporation in the attainment of its objects and to give financial assistance to the Corporation; and

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- (g) to appoint a Board of Admission consisting of four members from the Committee of Management to manage the affairs of the Madharasa, and to appoint a member of the said Board of Admission as Manager of the Madharasa.
- (h) to appoint, dismiss and exercise disciplinary conduct over, such officers and servants as may be necessary for the attainment of its objects.

Rules of the
Corporation.

7. (1) It shall be lawful for the Corporation from time to time, at any general meeting of the members, and by a majority of votes, to make rules not inconsistent with the provisions of this Act or other written law, for the admission, withdrawal or expulsion of members, for the conduct of the duties of the Committee of Management, the Board of Trustees, Board of Supporters, Board of Admission and of the various officers, agents and servants of the Corporation, for the procedure to be followed in the transaction of business, and otherwise generally, for the management of the affairs of the corporation and the accomplishment of its objects. Such rules when made may, at a like meeting be altered added to, amended or cancelled, subject however to the requirements of subsection (2).

(2) Neither a rule of the Corporation for the time being in force nor any rule which may hereafter be passed shall be altered, added to amended or cancelled except by a vote of two thirds of the members present and voting at a general meeting of the Corporation :

Provided, however, that such alteration, addition or cancellation shall have been previously approved by the Committee of Management.

(3) The rules of the Association in force on the day preceding the date of commencement of this Act, shall be deemed to be the rules of the Corporation made under this section, in so far as they are not inconsistent with the provisions of this Act or other written law.

(4) All members of the Corporation shall be subject to the rules in force for the time being of the Corporation.

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8. All debts and liabilities of the Association existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted and all debts due to, and subscriptions and contributions payable to, the Association on that day shall be paid to the Corporation for the purposes of this Act.

Debts due
by and
payable
to the Asso-
ciation.

9. The Corporation shall, be able and capable in law to acquire and hold any property movable or 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 purposes 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 or
immovable.

10. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of two 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 as a witness.

How the
seal of the
Corporation
is to be
affixed.

11. 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.

Savings of
the rights
of the
Republic or
others.

12. 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
inconsis-
tency.

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