

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

**Part II of September 24, 2021**

**SUPPLEMENT**

*(Issued on 27.09.2021)*



**AKURANA BAITHUZ ZAKATH  
(INCORPORATION)**

*(Private Members' Bill)*

**A**

**BILL**

**to incorporate the Akurana Baithuz Zakath**

*To be presented in Parliament by Hon. Imran Maharoof M.P. for  
Trincomalee District*

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*Akurana Baithuz Zakath*  
(Incorporation)

AN ACT TO INCORPORATE THE AKURANA  
BAITHUZ ZAKATH

WHEREAS an Organization called and known as the  
“Akurana Baithuz Zakath” has heretofore been formed in Sri  
Lanka for the purpose of effectually carrying out its objects  
and transacting all matters connected with the said  
5 Organization according to the rules agreed to by its members:

Preamble

AND WHEREAS the said Organization has heretofore  
successfully carried out and transacted a several objects and  
matters for which it was established, and has applied to be  
incorporated, and it will be expedient in public interest to  
10 grant the said 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 Akurana Baithuz Zakath  
(Incorporation) Act, No. of 2021.

Short title

15 2. From and after the date of commencement of this Act,  
such and so many persons as now are members of the Akurana  
Baithuz Zakath (hereinafter referred to as the “Organization”)  
or 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 the “Akurana Baithuz  
Zakath” (hereinafter referred to as the “Corporation”) and by  
that name may sue and be sued, with full power and authority to  
have and use a common seal and to alter the same at its pleasure.

Incorporation  
of Akurana  
Baithuz  
Zakath

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

General  
objects of the  
Corporation

(a) to eliminate poverty and to collect Zakath (annual  
donation) fund and distribute according to Islamic  
‘Sharia’ Law ;



transaction of business by the Corporation and Board of Management and 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 and in like  
5 manner, be altered, added to, amended or rescinded.

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

7. (1) The Corporation shall have its own Fund. All Fund of the Corporation  
moneys received by way of gift, bequest, donation, transfer,  
10 subscription, contribution or fees shall be deposited to the credit of the Corporation in one or more Banks as the Board of Trustees shall determine.

(2) There shall be paid out of the Fund of the Corporation, all such sums of money as may be required to defray any  
15 expenditure incurred by the Corporation in carrying out the objects of the Corporation.

(3) The moneys and property of the Corporation whosoever derived shall be applied solely towards the promotion of the objects as setforth herein and no portion  
20 thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, to any member of the Corporation.

8. (1) The financial year of the Corporation shall be the Accounts and Audit  
calendar year.

25 (2) The Corporation shall cause proper accounts to be kept of income and expenditure, assets and liabilities and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor as may be determined by the Board.

(4) In this section, “Qualified Auditor” means —

- 5                   (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 practice as  
Accountant issued by the Council of such  
institute; or
- 10                  (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 of any other institute established by law,  
possesses a certificate to practice as an  
Accountant issued by the Council of such  
institute.

15       **9.** The seal of the Corporation shall not be affixed to Seal of the  
any instrument whatsoever, except in the presence of the Corporation  
Secretary or a member of the Board as may be duly authorized  
by the Board and another member of the Board who shall  
sign their names on the instrument in token of their presence  
20 and such signing shall be independent of the signing of any  
person as witness.

**10.** No member of the Corporation shall, for the purpose Limitation of  
discharging the debts and liabilities of the Corporation or liability of  
for any other purpose, be liable to make any contribution members  
25 exceeding the amount of annual subscription payable by  
him to the Corporation.

**11.** All debts and liabilities of the Organization existing Debts due by  
on the day preceding the date of commencement of this Act, and payable  
shall be paid by the Corporation hereby constituted, and all to the  
30 debts due to, and subscriptions and contributions payable Organization  
to the Organization on that day shall be paid to the  
Corporation for the purpose of this Act.

12. The Corporation shall be able and capable in law, to take and hold any property movable or immovable which may become vested on 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.
13. 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 Institution or Institutions having objects similar to those of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or property among its or their members. Such Institution or Institutions shall be determined by the Board at or immediately before the dissolution 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 person, except such as are mentioned in this Act and those claiming by, from or under them.
15. No person shall be liable in any suit or other legal proceeding for any act done, or purporting to be done, in good faith in pursuance of the powers conferred by or under this Act, or for the purpose of carrying out the provisions of this Act.
16. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.
- Corporation may hold property movable and immovable
- Property remaining on dissolution
- Saving of the rights of the Republic and others
- Indemnity for acts done in good faith
- Sinhala text to prevail in case of inconsistency

