PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

BOARD OF DIRECTORS OF THE MUSLIM LADIES ARABIC COLLEGE KATTANKUDY (INCORPORATION) ACT, No. 2 OF 2000

[Certified on 12th January, 2000]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic Socialist Republic of Sri Lanka** of January 14, 2000

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 1

Price : Rs. 5.75 **Postage : Rs. 3.50**

Board of Directors of the Muslim Ladies Arabic College Kattankudy (Incorporation) Act, No. 2 of 2000

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L.D.—O. 51/93.

AN ACT TO INCORPORATE THE BOARD OF DIRECTORS OF THE MUSLIM LADIES ARABIC COLLEGE KATTANKUDY

Preamble.

WHEREAS an Association called and known as the "Board of Directors of the Muslim Ladies Arabic College Kattankudy" has heretofore been formed at Kattankudy, Sri Lanka for the purpose of effetually carrying out and transacting all objects and matters connected with the said Association according to the rules agreed to by its members :

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 such application :

BE it therefore, enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

Short title.

1. This Act may be cited as the Board of Directors of the Muslim Ladies Arabic College Kattankudy (Incorporation) Act, No. 2 of 2000.

Incorporation of the Board of Directors of the Muslim Ladies Arabic College Kattankudy.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Board of Directors of the Muslim Ladies Arabic College Kattankudy (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 the "Board of Directors of the Muslim Ladies Arabic College Kattankudy" 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.

General objects of the Corporation.

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

(*a*) to manage and maintain the Muslim Ladies Arabic College at Kattankudy ;

(*b*) to impart Islamic religious education in the Arabic medium ;

(*c*) to provide for training in and promotion of Islamic culture ;

(*d*) to conduct classes to train students in committing the Holy Quran to memory ;

(*e*) to conduct research on Islam ;

(*f*) to establish, equip and maintain a library containing books in Arabic on Islam ;

(*g*) to publish journals and books, on Islam ;

(*h*) to conduct vocational training courses for youth living in and around Kattankudy ;

(*i*) to teach other languages to enable students to propagate Islam in such languages ;

(*j*) to encourage the practical observance of Islam ; and

(*k*) to do all such other acts and things as are conducive or incidnetal to the attainment of all or any of the objects of the Corporation.

Management of the affairs of the Corporation.

4. (1) The affairs of the Corporation shall, subject to the 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 such number of members as may be provided for in such rules and elected in accordance herewith.

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

Rules of the Corporation.

5. (1) It shall be lawful for the Corporation, from time to time at any General Meeting and by a majority 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 :—

(*a*) the classification of membership and the admission, withdrawal or expulsion of members ;

(*b*) the election of the members of the Board of Directors and its powers, conduct and duties and the terms of office of members of the Board of Directors ;

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

(*d*) the procedure to be observed for the summoning and holding of, meeting of the Board of Directors, the times, places, notices and agenda of such meetings, the quorum therefor and the conduct of business thereat ;

(*e*) the administration and management of the property of the Corporation, the custody of its funds, and the maintenance and audit of its accounts ; and

(*f*) generally, for the managment of the affairs of the Corporation and the accomplishment of its objects.

(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 of the Corporation.

General powers of the Corporation.

6. 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 as are

necessary or desirable for the promotion or furtherence of the objects of the Corporation or one of them, including the power to open, operate and close bank accounts, to borrow or raise money, with or without security, to receive or collect gifts, grants or donations from local or foreign sources, to invest its funds, and to engage, employ and dismiss officers and servant required for the carrying out of the objects of the Corporation.

Corporation may hold property movable or immovable.

7. 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, and it shall have full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Debts due by and payable to the Association.

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 date shall be paid to the Corporation for the purpose, of this Act.

Application of the fund of the Corporation.

9. The income and property of the Corporation however derived, shall be applied solely toward the promotion of its objects of the Corporation and no portion thereof shall be paid or transferred directly or indirectly by way of divident, loan, bonus, profit or otherwise to the members of the Corporation :

Provided however that the provisions of this section shall not prohibit —

(*a*) the payment in good faith of reasonable and proper remuneration to any officer, employee or servant of the Corporation or to any member of the Corporation for any services rendered by him to the Corporation ;

(*b*) The payment of reasonable and proper rent for premises let to the Corporation by any members of the Corporation or by any company of which a member of the Corporation is a shareholder.

Seal of the Corporation.

10. 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.

Limitation of liability of members.

11. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of such membership fees as may be due from him to the Corporation.

Audit and accounts.

12. (*a*) The financial year of the Corporarion shall be the calendar year.

(*b*) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilites and all other transactions of the Corporation.

(*c*) The accounts of the Corporation shall be audited by a qualified auditor.

In this section, "qualified auditor" means—

(i) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute ; or

(ii) 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 practise as an Accountant issued by the Council of such Institute.

Savings of the rights of the Republic and others.

13. 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.

Sinhala text to prevail in case of inconsistency.

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

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