



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

**EAST CEYLON ARABIC COLLEGE,
ADDALAICHENAI
(INCORPORATION)
ACT, No. 52 OF 1992**

[Certified on 6th November, 1992]

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(Incorporation) Act, No. 52 of 1992

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L. D.—O. 7/88

AN ACT TO INCORPORATE THE EAST CEYLON ARABIC COLLEGE,
ADDALAICHENAI.

WHEREAS an Institution called and known as the “East Ceylon Arabic College”, has heretofore been established at Addalaichenai in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said East Ceylon Arabic College according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Institution has heretofore successfully carried out and transacted the several objects and matters for which it was established and the Board of Management of the said East Ceylon Arabic College 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 East Ceylon Arabic College, Addalaichenai (Incorporation) Act, No. 52 of 1992.

Short title.

2. From and after the date of commencement of this Act, the Board as Management of the East Ceylon Arabic College, Addalaichenai (hereinafter referred to as the “College”) and persons who shall hereafter be admitted to the Board of Management of the Corporation hereby established in accordance with the provisions of this Act and rules made thereunder, shall be a body corporate (hereinafter referred to as “the Corporation”) with perpetual succession, under the name and style of the “East Ceylon Arabic College, Addalaichenai” and by that name may sue and be sued in all courts, with full power and authority to have, and to use, a common seal and to alter the same at its pleasure.

Incorporation
of the
East
Ceylon
Arabic
College,
Addala-
ichenai.

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

General
objects of
the
Corporation.

- (a) to promote the religious, educational, social, economic and cultural development of the Muslims in Sri Lanka ;

- (b) to encourage the teaching of the Arabic Language, its grammar, literature, prose, poetry and other ancillary subjects, to enable the students to acquire a complete knowledge and command of, and proficiency in, the Arabic Language ;
- (c) to promote the teaching of the "Sharith" or the code of Islamic Laws according to "Fikh", "Thafseer" and "Hadeeth" ;
- (d) to foster and encourage the teaching of the "Hifdhul Quran" or the recital from memory of the "Holy Quran", according to "Thajweed" or proper intonation ;
- (e) to engage in the teaching of other ancillary subjects in the Arabic Language that would help students to acquire a comprehensive knowledge of any one or more of the subjects referred to in paragraphs (b), (c) and (d) :

Provided however the subjects referred to paragraphs (b), (c) and (e) shall be taught exclusively according to "Sunnath Wal Jamaath" ; and

- (f) to do all such other acts and things not inconsistent with this Act or any other written law, as are incidental, or conducive to the attainment of the above objects or any of them.

**General
powers
of the
Corporation.**

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, or expedient, for the promotion or furtherance of the objects of the Corporation or any one of them ; including the power to open, operate and close bank accounts, to borrow or raise moneys, with or without security, to receive or collect grants and donations, to invest the funds of the Corporation, to construct any buildings on any land vested in or acquired or held by the Corporation, and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

5. (1) The affairs of the Corporation shall, subject to the rules of the Corporation, be administered by a Board of Management consisting of such members as may be provided for in such rules and elected in accordance therewith.

Management
of the
affairs
of the
Corporation.

(2) The first Board of Management of the Corporation shall be the Board of Management of the College holding office on the day 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 and by the votes of not less than two thirds of the members present and voting, to make such rules, as are not inconsistent with the provisions of this Act or any other written law, for the management of the affairs of the Corporation and 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.

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

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

7. All debts and liabilities of the College existing on the day preceding the date of commencement of this Act shall be paid by the Corporation and all debts due to, and subscriptions and contributions payable to, the College on such day shall be paid to the Corporation for the purposes of this Act.

Debts due
by and
payable
to the
College.

8. The Corporation shall, subject to the rules of the Corporation be able and capable in law to take 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 said Corporation, with full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation
may hold
property
movable and
immovable.

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(Incorporation) Act, No. 52 of 1992

Application
of income
and
property
of the
Corporation.

9. The income and property of the Corporation shall be applied solely towards the promotion of the objects of the Corporation, and no portion thereof shall be paid or transferred; directly or indirectly, by way of dividend, loan, bonus or otherwise howsoever, by way of profit, 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 or employee 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 member of the Corporation or by any company of which a member of the corporation is a shareholder ; and
- (c) the re-imbusement or repayment of reasonable and proper expenses incurred, with the prior approval of the Board of Management by any member, officer or employee of the corporation, in the discharge or performance of his functions or duties or in promoting the objects of the Corporation..

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 of the Corporation, who shall sign their names on 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.

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 claiming by, from, or under, them.

Sinhala
text to
prevail
in case of
Incon-
sistency.

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

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