



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

AL-HAJ. N. M. BUHARDEEN FOUNDATION
(INCORPORATION)
ACT, No. 43 OF 1992

[Certified on 31st August, 1992]

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**Al- Haj N. M. Buhardeen Foundation (Incorporation)
Act, No. 43 of 1992**

[Certified on 31st August, 1992]

L.D.—O 113/90

**AN ACT TO INCORPORATE THE AL-HAJ N. M. BUHARDEEN
FOUNDATION**

WHEREAS an Association called and known as the "Al-Haj N. M. Buhardeen Foundation" has heretofore been established in Sri Lanka 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 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 Al-Haj N. M. Buhardeen Foundation (Incorporation) Act, No. 43 of 1992.

Short Title.

2. From and after the date of commencement of this Act such and so many persons as now are members of the Al-Haj N. M. Buhardeen Foundation (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 Al-Haj N.M. Buhardeen Foundation 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 Al-Haj N.M. Buhardeen Foundation

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

General objects of the Corporation.

- (a) to promote the study of Islam ;
- (b) to work for the elimination of social and other inequalities among the people of Sri Lanka ;
- (c) to promote the advancement of the educational, religious, cultural, social and economic welfare of the people of Sri Lanka ;

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- (d) to promote communal harmony, international friendship and understanding and to inculcate a sense of discipline and self-reliance amongst the people of Sri Lanka ;
- (e) to organize, promote and encourage competitions, contests, lectures, discussions, displays and demonstrations and to print and publish journals, magazines, hand books, brochures and other literature on Islam ;
- (f) to establish and maintain libraries and reading rooms to promote the study and propagation of Islam ;
- (g) to grant financial aid and award scholarships to youths for the purpose of pursuing higher education ;
- (h) to set up, and to assist in the setting up and management of, vocational training centres to enable youths to develop their vocational skills and competence ;
- (i) to assist in the management and conduct of schools, centres and similar institutions engaged in furtherance of education ;
- (j) to provide assistance for research activities and improvement of skills and competence of persons engaged in the furtherance of education ;
- (k) to foster and encourage the research activities, study of Arabic language and literature, and Islamic religion ;
- (l) to organize, promote, encourage and afford facilities for the Muslims of Sri Lanka to travel to Mecca ;
- (m) to establish and maintain hospitals and maternity homes ;
- (n) to provide assistance for rehabilitation of handicapped people ;
- (o) to provide free medical assistance, and conduct free medical camps for the people of Sri Lanka ;
- (p) to establish and maintain orphanages and homes for the aged and destitutes ;

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(q) to give financial assistance to the needy muslim women for the purpose of their Nikkah ceremony ;
and

(r) to maintain and administer the Janaza Benefit Fund for the Muslims of Sri Lanka.

4. Subject to the provisions of this Act and any other written law, the Foundation 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 of the Foundation 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 its funds and to engage, employ and dismiss personnel required for the carrying out of the objects of the Corporation.

General powers of the Foundation.

5. (1) The management, administration and control of the affairs of the Foundation shall subject to the rules of the Corporation be vested in a Board consisting of not more than nine members appointed by the general body in accordance with the rules of the Foundation.

Management of the affairs of the Foundation.

(2) The Board may delegate all or any of its functions to an Executive Council consisting of at least Five members of the Board including the President, Vice-President, Secretary and Treasurer of the Corporation and such Council shall carry out its functions in accordance with the directions of the Board.

(3) The first Board of the Foundation shall be the Board of Directors of the Association holding office on the day preceding the date of commencement of this Act, and whose names are specified in the Schedule to this Act.

6. (1) It shall be lawful for the Foundation from time to time at any general meeting of the Foundation and by the votes of not less than two thirds of the members present and voting, to make rules and ratify rules made by the Board of Directors not inconsistent with the provisions of this Act, or any other written law for the admission, withdrawal or expulsion of mtmbers, for the election of office-bearers, the Board, The Executive Council and various officers agents and servants of the Foundation for the procedure to be followed in the transaction of business, and otherwise generally, for the management of the affairs of the Foun-

Rules of the Foundation.

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dation and the accomplishment of its objects. Such rules when made or ratified, may at a like meeting and in like manner, be altered, added to, amended or rescinded.

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

Foundation.
may hold
property
movable and
immovable.

7. The Foundation shall subject to the rules in force for the time being of the Corporation be able and capable in law to take over 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 Foundation for the purposes of this Act and subject to the rules of the Foundation, with 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 and all debts due to and contributions payable to the Association on that date shall be paid to the Corporation for the purposes of this Act.

Seal
of the
Foundation.

9. The seal of the Foundation—

- (a) may be altered in such manner as may be determined by the Executive Council.
- (b) shall not be affixed to any instrument or document except with the sanction of the Executive Council and in the presence of two members of the Executive Council who shall sign the instrument or document 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.

10. 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.

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

SCHEDULE

[Section 5 (3)]

Board of Directors

- | | |
|------------------------------|---------------------------|
| (i) President | Al-Haj N. M. Buhardeen |
| (ii) Vice-President | Al-Haj N. M. Abdul Hameed |
| (iii) Secretary | Mr. S. L. M. Halith |
| (iv) Treasurer | Mr. M. Imtiaz Buhardeen |
| (v) Executive Council Member | Mr. M. S. M. Husainudeen |
| (iv) Board Members | Mr. M. U. M. Faris |
| | Mr. A. H. M. Azhar |
| | Mr. A. C. M. Faleel |
| | Mr. M. L. M. Jauffer |

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