



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

**UNITED MUSLIM UMMAH
(INCORPORATION)**

A

BILL

to incorporate the United Muslim Ummah

*Presented by Hon. Hunais Farook M. P. for Vanni District
on 09th January, 2013*

(Published in the Gazette on December 31, 2012)

Ordered by Parliament to be printed

[Bill No. 200]

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 8.00

Postage : Rs. 5.00

United Muslim Ummah
(Incorporation)

AN ACT TO INCORPORATE THE UNITED MUSLIM UMMAH

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

Preamble.

AND WHEREAS the said Organization 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 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 the United Muslim Ummah (Incorporation) Act, No. of 2013.

Short title.

2. From and after the date of commencement of this Act, such and so many person as now are members of the “United Muslim Ummah” (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 succession, under the name and style of the “United Muslim Ummah” (hereinafter referred to as the "Corpotation") 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 United Muslim Ummah.

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

General objects of the Corporation.

(a) to strive towards building national integration;

(b) to strive to establish a true pluralistic society in Sri Lanka;

2 *United Muslim Ummah*
(Incorporation)

- (c) to help to maintain the distinct identity of the different communities and foster and promote friendship for peaceful co-existence;
- 5 (d) to resolve disputes among the Muslims at regional level;
- (e) to contribute to the social and economic uplift of the country;
- 10 (f) to assist in scholarship, cash or kind for the voluntary employees and other employees who are engaged in the attainment of the objectives of the Corporation ;
- (g) to plan and implement community welfare, educational and social development projects in Sri Lanka ;
- 15 (h) to promote education, health, recreation, culture and agriculture, to provide grants, scholarships, gifts, donations and financial assistance for the improvement, extension and publicize knowledge and to establish institutions for this purpose; and
- 20 (i) to do all such other acts and things as are necessary for and incidental or conducive to the attainment of the above objects.
- 25 **4.** (1) The management, control and administration of the Corporation shall, subject to the provision of this Act and the rules in force for the time being of the Corporation, vested in a Board of Management (hereinafter referred to as the "Board") consisting of the office bearers and such other persons as may be provided for in such rules and elected in accordance therewith.
- 30 (2) The first Board of Management of the Corporation shall consist of the members of the Board of the Institution holding office on the day preceding the date of commencement of this Act.

Management
of the affairs
of the
Corporation

- 5 **5.** Subject to the provision of this Act and any other written law, the Corporation shall have the power to do, perform and execute, all such acts and matters as necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the powers:—
- 10 (a) to raise funds and receive grants, gifts or donations in cash or kind whether from local or foreign sources ;
- 15 (b) to acquire, in any manner whatsoever and hold, take or give on lease or hire, rent, sell or otherwise dispose of any movable or immovable property and construct, maintain and alter any buildings or works necessary or convenient for the business of the Corporation ;
- 20 (c) to make, draw, accept, discount, endorse, negotiate, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate and close bank accounts and borrow or raise money with or without security ;
- 25 (d) to invest any funds not immediately required for the purposes of the Corporation in such manner as the Board of Management may determine;
- (e) to enter into agreements or contracts with any person or body of persons for the implementation of these objects; and
- (f) appoint employ, dismiss or terminate the services of officers and servants of the Corporation and to pay them such salaries, allowances and gratuities as may be determined by the Corporation.
- 30 **6.** (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by the votes of not less than two thirds of the members present and voting, to make rules, not inconsistent with the provision of this Act or any other written law, for all or any of the following matter:—

General powers of the Corporation.

Rules of the Corporation.

- (a) the classification of membership, fees payable by each class of members and admission, withdrawal, expulsion or resignation of members and for the maintaining of register of members;
 - 5 (b) the election of office bearers of the Board or vacation of or removal from, office and the powers, duties and functions of the office bearers;
 - (c) the appointment, powers, duties and functions and conditions of the various officers, agents and servants of the Corporation;
 - 10 (d) the procedure to be followed at the summoning and holding of meetings of the Board, the Corporation and any sub-committee thereof, including the quorum therefore and the conduct of business thereat;
 - 15 (e) the qualifications and disqualifications for members of the Board and the Corporation; and
 - (f) the administration and management of the property of the Corporation for the accomplishment of the objects of the Corporation.
 - 20
- (2) The rules 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 at all time be
- 25 subject to rules of the Corporation made under this section.
- (4) The rules of the Foundation in force on the day preceding to date of commencement of this Act, shall in so far as they are not inconsistent with the provisions of this Act or any other written law, be deemed to be rules of the
- 30 Corporation. made under this section.

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

(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.

In this section "qualified auditor" means—

(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 an Accountant issued by the Council of such Institute; or

(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 Accountant issued by the Council of such Institute.

8. The Moneys and property of the Corporation however derived shall be applied solely towards the promotion of its objects as set forth herein, 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. Corporation to be a non profit making.

Provided however, that the provision of this section shall not prohibit—

(a) the payment, in good faith, of reasonable and proper remuneration to any officer or servants 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 or by any company of which a member of the Corporation is a shareholder; and

5 (c) the reimbursement or repayment of reasonable and proper expenses incurred, with the prior approval of the Board of Management, by any member, officer or servant of the Corporation in the discharge or performance of his functions or duties or in
10 promoting the objects of the Corporation.

9. The seal of the Corporation shall not be affixed to any instrument whatsoever, except in the presence of the 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
15 names on the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness

Seal of the Corporation.

10. If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities,
20 any property whatsoever, such property shall not be distributed among the members of the Corporation but shall be given or transferred to some other institute or institutes having objects similar to those of the Corporation, and which is or are by the rules thereof prohibited from distributing any
25 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.

Property remaining on dissolution.

11. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or
30 corporate or of any other person, except such as are mentioned in this Act and those claiming by from or under them.

Saving of the Rights of the Republic and others.

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

Sinhala text to prevail in case of inconsistency.

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.