



## AGM 2018 Minutes

16<sup>th</sup> November 2019

### Agenda

- Quorum
- Review 2018 AGM minutes.
- Proposed motions
- Review & approve accounts for year-ending 31<sup>st</sup> December 2018.
- President's Annual Report & Q&A.

### 1. Quorum

1.1. Previous two attempts at holding the AGM on 7<sup>th</sup> July and 25<sup>th</sup> August were unsuccessful due to not achieving the required quorum. As per guidance sought from the Charity Commission, this AGM is being held on the third attempt and is being declared valid regardless whether the minimum quorum is achieved or not. The AGM commenced with the 34 members present at the notified start time with recitation from the Holy Quran.

### 2. Review 2018 AGM minutes

2.1. Minutes from previous AGM on 29<sup>th</sup> April 2018 were made available in hard copy format, projected on screen and read out by the Secretary and approved by the floor as an accurate record.

### 3. Proposed motions

3.1. The Secretary progressed to presenting the constitution amendments and general motions submitted. A recount of members present confirmed 39 still in attendance.

3.2. Constitution amendments proposed by Dr Abad Ali.

- Regarding quorum:  
*Section 11.2 change the wording 'third' to 25% **Carried with 28 in favour.***
- Regarding the president:  
*Add section 4.7.2.4 the president to serve no more than two consecutive terms. **Carried with 31 in favour.***
- Office bearers:  
*Add section 4.7.1(b) The office bearers to serve no more than two consecutive terms in the same position. **Carried with 38 in favour.***
- Holding trustees:  
*Add section 8.7 the holding trustees to serve no more than two consecutive terms. i.e.10 years. **Carried with 36 in favour.***

*Add section 8.8.1 the trustees may be appointed by the executive committee to oversee any IMI issue in light of conflict-of-interest involving the executive committee or any IMI member. **Carried with 36 in favour.***



*Add section 8.9 the trustees be allowed to request a review of the decision made by the executive committee that A. May bring IMI into distribute B. IS not in IMI 's best interests C. Has the potential to disrespect, Ill feel or segregate the membership D. Involves unwise spending of IMI funds. **Defeated with 6 in favour.***

Regarding DBS checks:

*Add section 4.7 .13 all executive committee members elected must possess an advanced DBS disclosure check validated within the last 12 months. **Carried with 50 in favour with attendance now at 53.***

*And section 8.8.2 All holding trustees must possess and advanced DBS disclosure check validated within the last 12 months. **Carried with 50 in favour with total attendance now at 53.***

- Regarding the ladies committee:  
*Section 3.7.1 all ladies aged 18 and over can become full IMI by the same process as appointed for the men's membership. **Withdrawn***
- *And section 3.7.2 if husband/father has valid IMI membership, ladies aged 18 and over in the household be allowed to have a discounted membership fee of 50% of the appointed fee per lady membership. **Withdrawn***
- *Section 4.1 to add the wording after 12 committee members" Lady Chair, lady secretary and Lady treasurer." **Defeated with 11 in favour.***
- And section 4.7 .13 the ladies chair:  
*A: May attend E.C meetings  
B: Will be the head of the ladies committee  
C. Will preside over the ladies committee meetings.  
**Defeated with 12 in favour.***
- And section 4.7.15 the ladies treasurer  
*A. May attend EC meetings  
B. be responsible for keeping financial records  
C. Liaise with the EC treasurer in preparation of the annual finance report  
D. Receive donations and subscriptions and issue official receipts.  
E. New lady members applications to be presented to the EC.  
**Defeated with 6 in favour.***
- And section 4.7.16 the ladies chair;  
*the lady secretary and the lady treasurer be allowed to appoint further lady members to their various subcommittees as they see fit. The decisions are based on a simple majority of these 3EC members for the ladies committees. **Withdrawn***

3.3. The second set of motions proposed by Ali Mohsin Hashmi were presented as general motions as they did not follow the format of constitution amendment proposals with



adequate references to the clauses to be amended or appended. A recount of members present confirmed 57 in attendance.

- Motion 1 as submitted:

*As a custodian of Maal e Imam (AS), anybody who gets elected as a trustee (Executive Member, Office Bearer or Holding Trusting) must serve the Idaara for the full duration of term they've been elected for. Failing to complete the full term should naturally result in disqualification from future election for a period of at least 3 terms. (I would like the term to be open for discussion and should not cause the motion to fail if term doesn't reach consensus either in the EC meeting or AGM). The disqualification term in my view should be indefinite but up for discussion. **\*Carried with 30 in favour with the caveat; disqualified if resigns without a valid reason.***

- Motion 2 as submitted:

*In the wake of recent investigation and ever more strict rules around Charity Governance, we should implement certain safeguards to ensure that our Idaara and Community doesn't ever face distress due to alleged misconduct or past track record of individual/s acting as Executive Members, Office Bearers or Holding Trustees. Therefore I propose that we conduct the following for all current and future EC members, office bearers and Holding Trustees:*

- Identity Check (through the government portal, I can share more details if needed)
- Criminal Records Check
- Bankruptcy & Insolvency Check ( Which already is a requirement we should comply with to ensure Trustee Criteria set by HMCC is met). **Withdrawn**

3.4. The third set of motions proposed by Syed Tasawar Hussain Naqvi were presented as general motions as they did not follow the format of constitution amendment proposals with adequate references to the clauses to be amended or appended. A recount of members present confirmed 52 in attendance.

- Motion as submitted:

*Any member wanting to renew their membership, should bring along their visa/Passport/EU Card etc in order to be able renew membership. Otherwise membership will not automatically renew even if they've paid their annual subscription fee. This doesn't have to take effect immediately but from 2020 renewals this simple logic will clean up the whole membership data and make us fully compliant with the constitution of our Charity. **Carried with 51 in favour.***

3.5. The fourth set of motions proposed by Imran Ali (Mir) were presented as general motions as they did not follow the format of constitution amendment proposals with adequate references to the clauses to be amended or appended. A recount of members present confirmed 52 in attendance.

- Motion 1 as submitted:

*Proposal for the ladies Committee to form their own elections as the same model used as the Men's election. The ladies will have the same number as cabinet and also the same number in Committee or more than the 12 the Men have. The ladies must decide*



*on a separate membership to be entitled for voting, or it may be agreed if their husbands are full members only then ladies may vote?*  
*Ladies may agree their own membership fee. If agreed on the latter, but a voting register will be formed from whatever agreement is made. The Ladies Committee will act 'Like' it's independent but will also be a 'Sub Committee.' It can be dissolved but the ladies membership may object or challenge the decision if made. Chairlady and Chairman will have to liaise with programmes and planning, likewise the Ladies Treasurer will also liaise with the Men's Treasury to keep accounts in line with Audits. This structure should give the ladies real choice in their selection of candidates to give them more control over their affairs. **Defeated with 11 in favour.***

Motion 2 as submitted:

*Proposed to form a permanent volunteers for funeral services. Their duties will be to execute all duties involved in Bereavement/Funerals. The Head will be selected from EC and remain a Sub Committee, volunteers will be able to work independently and work to progress the Funeral services. **Carried with 41 in favour.***

Motion 3 as submitted:

*Proposed that 4 extra Committee candidates be added increasing the number from 12 to 16 candidates for the next election. **Withdrawn.***

3.6. The fifth set of motions proposed by Shuja Hussain (Mir) were presented as general motions as they did not follow the format of constitution amendment proposals with adequate references to the clauses to be amended or appended. A recount of members present confirmed 57 in attendance.

- Motion 1 as submitted:

*Every person that is elected or selected for any position at IMI Hussainia, including role of caretaker & cook stand in front at the podium with holy Quran in hand & made to swear an oath he is not a shabee nor zinakaar nor paedophile (fornicator nor alcoholic). We cannot have people claiming to be Hussaini, but practising Yazeedi lifestyle in sanctified positions at Hussainia IMI. **Defeated with 27 in favour.***

**4. Review & approve accounts for year-ending 31<sup>st</sup> December 2018.**

4.1. Treasurer, Syed Asad Raza, proceeded to present the annual financial statement for financial year end 2018 were presented with hard copies made available to the floor.

4.2. The Treasurer then conducted Q&A session for queries relating to the items of income and expenditure.

4.3. The Treasurer clarified that the delay with the auditor signing off the accounts for the previous year was due to the IMI Land Registry title deeds not being updated with names of current custodian trustees. This has now been addressed and the auditor has signed off the accounts for FY2018 & 2019. Therefore the accounts being presented are audited.

4.4. The Idaara real estate was valued by a qualified surveyor for the title deed change and the current asset valuation is £1.9 million with a rebuild cost of £700k.



- 4.5. The increase in cost of lecturer fees was queried. The explanation for this is that we have encouraged people to arrange speakers via the EC for their events instead of paying them directly. This the reason for increase in the fees but this also means a corresponding increase in the donations received.
- 4.6. In response to a question from the floor, the Treasurer clarified the gift payment of £5k to the Muharram speaker was made in cash as he was a non-UK resident and as per previous practice.
- 4.7. £5k of tax payer donations were received in Ramadan which will help with gift aid claim for the current financial year and is currently estimated to be in the region of £9k.
- 4.8. A question from the floor was why Adnan Ali Khan is shown on the accounts to have resigned on 11<sup>th</sup> November 2018 although he was previously suspended. It was clarified that accounts auditing standard requires recording of trustee appointment and resignation dates. Suspension and re-instatement does not constitute resignation hence these details are not recorded on the document. Any after-period events that are usually recorded must have a material effect and only the resignation meets this criteria.

## **5. President's Annual Report and Q&A**

- 5.1. Interim President, Dilshad Abbas (DA), thanked the general body for the moral, logistical and financial contribution during the year. In addition to the EC, the sub-committees had worked tirelessly throughout the year - specifically mentioning the excellent work done by the non-EC volunteers during the year who assist with niaz distribution and clean-up.
- 5.2. Specific praise for the updating of IMI title deeds which had outstanding for many years as well the Sunday Madressa which currently has 176 students at various levels supported by 22 teaching volunteers who diligently put in commendable effort.
- 5.3. There is currently a waiting list new students wanting to join due to shortage of accommodation and volunteer teachers. Members are encouraged to come forward and volunteer. Various options to increase building capacity were considered but the most feasible option was to start a Saturday Madressa to accommodate those on the waiting list.
- 5.4. The ongoing maintenance of the premises of this size meant the maintenance committee has expended considerable effort. Some of the works undertaken have been a new storage room, replacement of lights and new carpet in the foyer, gas pipeline installation, deep-clean of kitchen and the dome and new air conditioning system installation. Much of the work has been on voluntary labour basis unless where external professionals were required.
- 5.5. Question from the floor was raised about whether the visiting maulana for the recent Muharram already had a visa as stated by the programme sub-committee in the EC discussions for his approval or was it subsequently applied for via a third-party. DA stated he is unaware of the details and will look into the matter to see what process was followed.



- 5.6. The floor was updated on the internal investigation conducted by a team comprised of EC members following the inquiry opened by the Charity Commission on the possible connections between The Voice of Truth (TVOT) charity and the Idaara. After a forensic investigation, it was concluded that no IMI funds had been misappropriated and neither any financial links between the two charities have materialised.
- 5.7. DA informed the general body that he faced an unprecedented situation due to the 7 trustees resigning from their respective EC positions mid-tenure. DA reached out to the Charity Commission to seek guidance on how to mitigate a potential scenario where the EC could become inquorate and unable to function. The legal department of the Commission advised to use the powers within the constitution that permit the EC to decide on a matters not covered in the constitution.
- 5.8. Consequently, DA had assumed the Presidency as per the constitution. The vacant positions were filled with the appointment of new trustees by the remaining EC members as per the guidance received from the Charity Commission to ensure the EC continues to function and remains quorate until the next scheduled elections;

Resignations:

- Azhar Ali Kiani (President)
- Saghir Bukhari
- Imran Ali (Mir)
- Zamin Hussain
- Bashir Hussain Shah
- Jarrar Haider
- Adnan Ali Khan (Info Secretary)

Appointments:

- Frasad Ali
- Amir Mukhtar Kazmi
- Muhammed Amin Tahir
- Muhammed Imran Hafeez
- Abbas Ali
- Husnain Ali
- Syed Amir Naqvi

- 5.9. Question and comment from the floor was that some of the new trustees appointed assumed their roles for which they did not contest elections. DA replied that the thinking was to introduce younger members nominated from within the EC and also the Commission did not object to the process followed for the new appointments.
- 5.10. The Charity Commission inquiry has not yet been concluded hence unaware of the implications for the charity and individuals concerned at this point in time. The Commission has written to us to request further documents and bank statements to assist with their inquiry. However, we were informed in June 2019 that written undertakings were obtained from two unnamed current trustees that they will not become IMI trustees for 5 and 7



years respectively. In October, a third former trustee of IMI & TVOT was disqualified from becoming a trustee of any charity.

- 5.11. The AGM concluded with the general body commended DA for leading the internal investigation and his efforts in ensuring continuity of the EC function post-resignations.