

Constitution of Idaara Maarif-E-Islam, Birmingham

Introduction

Hereby is established by the Shia Ithna Ashari Muslim Community of Birmingham, an organization that will be known as Idaara Maarif-e-Islam (herein after referred to as the Idaara). The registered office the Idaara shall be in the Mosque Building in Birmingham.

1 Aims and objectives

The advancement, preservation and welfare of the religion of Islam by promoting teachings of Islam, the Holy Quran through Fiqh-e-Jaffaria. To achieve these objectives the Idaara shall:

- 1.1 Promote and organise religious and educational institutions.
- 1.2 Establish and assist in the formation of religious and secular education and welfare institutions and training schemes.
- 1.3 Promote and develop better understanding amongst different races, cultures and communities (within the UK).
- 1.4 Provide recreational and educational facilities.
- 1.5 Handle and manage at its own discretion but in accordance with the English Law such charitable trusts of members that have been handed over to the Idaara for their management.
- 1.6 Bring together in conference representatives of voluntary organizations, statutory authorities, other relevant bodies and individuals.
- 1.7 Arrange and provide for the holding of meetings, lectures, classes, seminars, training courses and maintain a library.
- 1.8 Collect, publish, disseminate information and do all that is necessary to further the said objectives.
- 1.9 Raise funds and invite and receive contributions from any person or persons whatsoever by way of subscription, donations or trading activities in raising funds for its charitable objects.
- 1.10 Buy, rent, build and maintain centres, mosques and such other assets as may be necessary from time to time for the furtherance of the objects of the Idaara.
- 1.11 Have an elected Executive Committee.
- 1.12 Provide facilities for marriage ceremonies and burial rites.

2 Membership

- 2.1 Any Shia Ithna Ashari Muslim adult over the age of 18 years:
 - 2.1.1 Legally residing in UK can apply for the membership of the Idaara and agrees to pay the annual membership fee and/or such other dues as may be prescribed from time to time and undertake to observe the rules and regulations of the Idaara.
 - 2.1.2 Must be of integral character and must not have, or have had, any previous disqualifications or restrictions imposed by the Charity Commission (whether current or past) to stand as a trustee of any charity.
- 2.2 Membership application will be subject to the approval of the Executive Committee.
- 2.3 Membership applications will only be considered through the Idaara's official application forms.
- 2.4 The Executive Committee reserves the right not to give reasons for approval or refusal of membership applications.
- 2.5 All new members of the Idaara will be entitled to vote in the election of Executive Committee and Trustees after one (1) year of membership
- 2.6 Any previous member who has missed one or more years of membership fee will be considered as a new member.
- 2.7 All the fully paid members have the right to;
 - 2.7.1 Vote by freedom of choice at the AGM and/or EGM.

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- 2.7.2 Stand for the election to the Executive Committee after two (2) years of continuous membership.
- 2.7.3 See and examine the annual accounts of the Idaara by appointment only.
- 2.7.4 Nominate any other fully paid member at an election after one (1) year of membership.
- 2.7.5 Express opinions on the affairs of the Idaara.
- 2.8 The Executive Committee is empowered to take disciplinary action against any member or non-member in the event that any of the following circumstances arise:
 - 2.8.1 The individual grossly misbehaves.
 - 2.8.2 The individual fails to comply with the rules and regulations of the Idaara.
 - 2.8.3 The individual fails to comply with a decision undertaken by the General Body and/or the Executive Committee.
 - 2.8.4 The individual acts in a way detrimental to the interest and the spirit of the Idaara.
- 2.9 The Executive Committee will have the right to terminate the membership of any individual. The individual concerned may appeal in the first instance to the Executive Committee and in the last instance to the General Body.
- 2.10 A member may terminate his/her membership at any time by giving notice in writing to the Secretary of the Idaara.
- 2.11 The Executive Committee shall keep and maintain a register of members.

3 Subscriptions

- 3.1 Any individual admitted to be a member shall forthwith pay the subscription for the current year, the membership year being the same as the financial year.
- 3.2 Every member shall be required to pay the full annual subscription by 31st January for the current membership year (hereafter referred to as the due date).
- 3.3 The amount of subscription due shall be fixed by the Executive Committee.
- 3.4 Any full time student under the age of 23 years may be eligible for membership at a reduced rate of 50%.
- 3.5 In the event that subscription is received later than the due date, the individual concerned will forfeit their right to vote at the annual election.
- 3.6 It is a requirement for any individual who stands for an office of the Executive Committee or the Trusteeship of the Idaara that the member must have continuous membership of two (2) year and 5 years respectively.

4 Elections & Offices

- 4.1 At the Annual General Meeting (AGM) the Idaara will elect an Executive Committee that will consist of Office Bearers (i.e. a President, Vice President, Secretary, Assistant Secretary, Information Secretary, Treasurer, Assistant Treasurer) and 12 Committee Members.
- 4.2 The AGM will take place within 4 calendar months from the end of financial year.
- 4.3 Any member wishing to stand for election may only stand for one post.
- 4.4 All the elections held in the Idaara will be by secret ballot.
- 4.5 The Executive Committee will appoint an Election Officer at least four (4) weeks prior to the elections date who will;
 - 4.5.1 Make all the arrangements for the elections
 - 4.5.2 Prepare an electoral register that will contain the names of members eligible to vote.
 - 4.5.3 Supervise the elections, count the votes and announce the names of the successful candidates.
 - 4.5.4 Have the power to declare an election null and void if there is reason to believe that any malpractice or any other illegal means to determine the outcome of elections have been used.

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- 4.5.5 Display the electoral register that will contain the names of members eligible to vote at least 7 days before the election date on the Hussainia Mosque notice board.
- 4.6 Members who wish to stand for office will have to inform the Election Officer at least fifteen (15) days before the elections are held.
- 4.7 All members of the Executive Committee of the Idaara shall abide by the following:
- 4.7.1 a) They shall hold office for two (2) years in an honorary capacity.
b) The Office Bearers to serve no more than two consecutive terms in the same position.
c) All Executive Committee members elected must attend at minimum 75% of the meetings called by the President regardless of personal circumstances. Attendance to be reviewed and disclosed by the President every election AGM, with those failing this attendance benchmark disqualified from running in the immediate next term.
d) All Executive Committee members elected must either individually or as group, provide a 1-page summary at the AGM of the tasks and activities they have been involved in throughout the year.
- 4.7.2 The President:
- 4.7.2.1 Will be the head of the Executive Committee.
4.7.2.2 Will preside over the meetings of the Executive Committee and the General Body.
4.7.2.3 Shall direct the Secretary to convene the General and Executive Committee meetings as and when necessary.
4.7.2.4 The President to serve no more than two consecutive terms and must have a break of at least one term before contesting for the same position again.
- 4.7.3 In the absence of the President, the Vice President will be vested with the powers, duties and rights of the President.
- 4.7.4 The Secretary:
- 4.7.4.1 Will implement all the decisions made by the Executive Committee and not otherwise.
4.7.4.2 Shall keep all records of the Idaara and deal with all correspondence in accordance with the direction of the President and the Executive Committee.
4.7.4.3 Shall keep a record of the minutes of all General and Executive Committee meetings.
- 4.7.5 The Assistant Secretary will perform the duties of the Secretary in the absence of the Secretary. He will assist the Secretary as and when required.
- 4.7.6 The Information Secretary will disseminate all information relating to the activities at the Idaara.
- 4.7.7 The Treasurer will:
- 4.7.7.1 Be responsible for keeping the financial records.
4.7.7.2 Prepare the annual finance report.
4.7.7.3 Receive subscriptions and donations and issue official receipts.
4.7.7.4 Prepare a regular budgeting and forecasting report.
- 4.7.8 The Assistant Treasurer will carry out the duties of the Treasurer in the absence of the Treasurer. He will assist the Treasurer as and when required.
- 4.7.9 The Executive Committee members will assist the Office Bearers in the administration of the Idaara.
- 4.7.10 No member of the Idaara will keep in their possession any documents or similar property whether, in electronic, printed or mechanical format concerning the Idaara after they cease to hold office.
- 4.7.11 At the end of their term the Executive Committee will hand over all documents, monies and any other property of the Idaara to the new Executive Committee within fourteen (14) days of leaving the office.

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4.7.12 The President and the Secretary can jointly sanction the expenditure of not more than £1000 for any one purpose.

4.7.13

4.7.13.1 All Executive Committee members elected must possess an advanced DBS disclosure check validated within the last 12 months.

4.7.13.2 If an advanced DBS disclosure check is not held by the elected member at the time of election then an application should be made within 6 weeks of being elected and proof of application should be lodged with the Secretary of the Idaraa. Failure to comply with this requirement will lead to immediate termination from being member of the Executive Committee and/or any Post held as result of being elected.

4.7.13.3 Upon application for a DBS check under the above clause & the outcome being that the elected member has failed the DBS check then will lead to immediate termination from being member of the Executive Committee and/or any Post held as result of being elected.

5 Indemnities

5.1 Save in case of damage caused by negligence, wilful default, breach of duty or breach of trust, no officer, Trustee or member of the Executive Committee shall be personally liable for any damage or claim against the Idaara or its property.

6 Auditors

6.1 The Executive Committee will appoint the auditors on behalf of the Idaara to audit the annual accounts.

6.2 The Idaara financial year will be from 1st January to 31st December.

7 Sub-Committees

7.1 The Executive Committee may appoint sub-committees to assist in the functioning of the Idaara as and when required.

8 Trustees

8.1 The Holding Trustees will be elected for a term of 5 years.

8.2 A maximum of five (5) Holding Trustees will be elected.

8.3 They may attend Executive Committee meetings to facilitate the functioning of the Idaara, however they will not participate in any voting process.

8.4 The Holding Trustees cannot hold any office of the Idaara.

8.5 They will enter into a deed of trust, setting forth the purposes and conditions under which they will serve as Holding Trustees of the Idaara.

8.6 The Holding Trustees will enter into a title of deed for all the properties and any other assets acquired for the purpose of the Idaara.

8.7 The Holding Trustees to serve no more than two consecutive terms.

8.8 The Holding 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.

8.9

8.9.1 All Holding Trustees must possess an advanced DBS disclosure check validated within the last 12 months.

8.9.2 If an advanced DBS disclosure check is not held by the Holding Trustee at the time of election then an application should be made within 6 weeks of being elected and proof of application should be lodged with the Secretary of the Idaraa. Failure to comply with this

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requirement will lead to immediate termination from being member of the Executive Committee and/or any Post held as result of being elected.

- 8.9.3 Upon application for a DBS check under the above clause & the outcome being that the elected member has failed the DBS check then will lead to immediate termination from being member of the Executive Committee and/or any Post held as result of being elected.

9 Extraordinary General Meeting (EGM)

- 9.1 The Executive Committee may at any time in a matter of urgency call an EGM.
- 9.2 Upon a written or ELECTRONIC petition to call an EGM on matter of importance or urgency by at least forty (40) of the voting members of the Idaara and delivered to the Secretary OR EMAILED TO THE IDAARA MAILBOX, the Executive Committee shall convene such a meeting within four (4) weeks of the receipt of such petition.
- 9.3 Upon receipt of a petition to call an EGM on matter of importance or urgency by at least forty (40) of the voting members of the Idaara, the Executive Committee will not proceed with the emergency matter highlighted in the petition until the said matter is not resolved in the EGM.

10 Order Of The Business

- 10.1 The order of business at every AGM and EGM of the Idaara shall include the following:
- 10.1.1 Recitation from the Holy Qur'an;
 - 10.1.2 Confirmation and adoption of the minutes of the last meeting;
 - 10.1.3 Matters arising there from
 - 10.1.4 Sub-committee Reports;
 - 10.1.5 Business required by the Executive Committee to be dealt with at the meeting in accordance with the circularised agenda
 - 10.1.6 Motion of which due notice is given
 - 10.1.7 Any other business.

11 Quorum and Amendments to the Constitution

- 11.1 Half of the Executive Committee members plus one shall form a quorum at Executive Committee meetings.
- 11.2 The minimum quorum required for a valid AGM or EGM is 25% of the Idaara membership. If no quorum is established at the first attempt, then the AGM or EGM can begin within 30 minutes of the first try, without the need for quorum to then be established for that AGM or EGM.
- 11.3 Any proposal to amend this constitution must be submitted to the Secretary at least 15 days prior to the AGM or EGM called for the purpose. Motion for the amendments must be approved by a two third majority of the members present at the AGM or EGM.
- 11.4 This constitution supersedes all the previous versions that are deemed null and void and will become operative with immediate effect.
- 11.5 The Executive Committee shall decide on any matters not provided for in the Constitution. Such decisions of the Executive Committee shall be binding on all members unless otherwise repealed at an AGM or EGM.

12 Dissolution

- 12.1 The Idaara shall not be dissolved except by a resolution passed at an EGM by unanimous vote of all members present. The quorum for such a general meeting shall be 90% of the

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membership of the Idaara. If the quorum is not present, the meeting will be adjourned to the next date at which the same condition for the quorum shall apply.

- 12.2 If upon the winding down or dissolution of the Idaara, there remains after the settling of all liabilities any assets whatsoever, these shall not be paid to or distributed amongst the members of the Idaara but shall be given or transferred to such other charity establishment for similar purpose as the Idaara.