



(In the Name of Allah,  
the Most Beneficent, the Most Merciful)

# **JAAME MASJID CONSTITUTION**

## Masjid Constitution



**Islamic Cultural Centre, Cumberland Street, Blackburn, Lancashire**

(hereafter referred to as Jaame Masjid, Blackburn)

### CONSTITUTION

#### PREAMBLE

Whereas Sovereignty over the entire universe belongs to Almighty Allah alone Whereas the path to success is Deen-e-Islam alone as enshrined in the Shari'ah Whereas the final and perfect guide unto humanity is the Holy Messenger Muhammad (Sallallahu-alayhi-wasallam) Wherein the Muslims shall conduct their affairs based upon:

*"Their affairs are governed by Shura" – (42:38)*



### Clause 1 - Name

- 1a. The name of the Association is Islamic Cultural Centre hereafter defined as the Organisation (hereafter referred to as Jaame Masjid, Blackburn)

### Clause 2 – Offices

- 2a. The offices of the Islamic Cultural Centre will be situated at Jaame Masjid, Cumberland Street, Blackburn, BB1 1JP and/or any such premises, which the Committee may decide.
- 2b. The official postal address of Jaame Masjid is Cumberland Street, Blackburn, BB1 1JP and/or any such premises, which the Committee may decide.

### Clause 3 - Administration

- 3a. Subject to the matters set out below the Organisation and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee/Shura, constituted by clause 8 of this Constitution ("the Executive Committee/Shura").

### Clause 4 – Basic Founding Principles and Values

- 4a. The following clause embodies the basic founding principles which shall be permanent and entrenched. This clause may never be altered.

“Obedience in line with Allah's guidance to achieve human excellence”

#### Character of Islamic Organisations and its Workers

- 4b. The purpose of an Islamic organisation is to bring about the collective potential of the whole community for the good of mankind with due respect and regard to all forms of life and nature. In order to achieve these goals, the following are among the essential characters of individuals and organisations:

**Kindness:** "Those who act kindly receive kindness and more. Neither dust nor disgrace comes near their faces. They will be inhabitants of paradise; they will live there forever." **Qur'an: 10:26**



**Goodness:** "Indeed, good deeds cancel bad deeds. This is a reminder for the mindful." Qur'an: 11:114

**Patience and Perseverance:** "O you who believe, be patient and persevering, persistent; strengthen each other. Fear Allah Ta'ala in order that you may prosper." **Qur'an 3:200**

**Forgiveness:** "Practice forgiveness, promote decency, and avoid ignorant people." **Qur'an 7:199**

**Tolerance:** "Let there be no compulsion in religion." **Qur'an 2:256**

**Humility:** "The obedient to the Beneficent are they who walk on earth modestly, and when the ignorant address them, they say: "Peace!" **Qur'an 25:63**

**Equity and Justice:** "O you who believe! Be steadfast witness for Allah in equity, and let not the hatred of any people seduce you to deal unjustly. Do justice; that is nearer to your duty. Fear Allah Ta'ala. Indeed, Allah is informed of what you do." **Qur'an 5:8**

**Equality of Mankind:** "O people! We have created you from a male and a female, and have made you into nations and tribes so that you may know one another. The noblest of you before Allah is the most Taqwa (Allah conscious). Allah is the all Knower." **(Qur'an 49:13)**

- 4c. During his farewell address, in which he spoke to the Muslims or rather to entire Mankind, the Prophet (SAW) said: "O people, indeed, your Lord, may He be praised and exalted, is One, and, indeed, your father (Adam) is one. Indeed, there is no superiority for a red man over a black man except through Taqwa (Allah-conscious).
- 4d. The basis of the functions of the congregation in all its affairs shall be to adhere strictly to the tenets of Shari'ah, the Islamic Law, as expounded by the four Sunni juristic schools of thought viz. Hanafi, Shafi, Maliki and Hambali Schools commonly referred to as the Ahlus-Sunnah-wal-Jama'ah.
- 4e. The interpretation of the Shari'ah Law mentioned above shall be carried out by competent scholars of Ulama bodies of Jaame Masjid, Blackburn. This meeting will be Chaired and lead by the Imaam of the Masjid.



## Clause 5 - Objectives

5a. The Organisation's objectives are:

To advance the Muslim religion in Blackburn and the surrounding area for the benefit of the public through the holding of prayer meetings, lectures, public celebration of religious festivals and the distribution of literature on the Islamic faith, providing services of worship and religious teaching.

## Clause 6 - Powers

6a. In furtherance of the objectives, but not otherwise, the Executive Committee/Shura may exercise the following powers:

1. To make provision for daily prayers, funerals and burial arrangements, marriages and other religious and social ceremonies.
2. To provide for Islamic education and language teaching for the Muslim community and their children.
3. To co-operate with welfare agencies, voluntary organisations, local and central government departments and other agencies in furtherance of the objects of the Organisation and to exchange information and advice with them.
4. To buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use and subject to any consent required by law to sell, lease or dispose of all or any part of the property of the Organisation.
5. To promote co-operation and unity among Muslim members in furtherance of the common cause and in the interest in Islam.
6. To raise funds by means of donations, gifts, legacies, grant aid from statutory authorities and other loans and fund raising events provided that in raising funds the Executive Committee/Shura shall not undertake any substantial permanent or profitable trading activities and shall conform to any relevant requirements of the law.
7. Power to employ such staff (who shall not be members of the Executive Committee/Shura) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependents.
8. To establish or support any charitable trusts, associations or institutions formed for all or any of the objects.



9. To do all such other lawful things as are necessary for the achievement of the objects.

### **Clause 7 - Membership**

7a. Any person(s) fulfilling all of the following requirements shall be eligible for membership of **The Islamic Cultural Centre:**

1. Residents of **Blackburn and its surrounding area of 10 mile radius** themselves of predominantly Gujarati Diaspora.
2. Are aged above 18.
3. Who are Sunni Muslims (as preached and practiced by the Indian Sunni ("Deobandi school of thought") Muslims).
4. Who follow the **Deobandi School of Thought**
5. Who have paid all subscriptions, membership fees and other duties sanctioned by previous AGM's.
6. Existing Members who have fully paid their annual membership fee.
7. Founding members and their offspring are eligible for membership subject to Clause 29a.
8. Any Muslim not qualifying hereunder for membership of the Organisation shall be welcomed to attend the Masjid for worship and the use of its facilities subject to availability but shall not be entitled to participate in any affairs of the Organisation.

7b. The Executive Committee/Shura shall have the power to suspend or terminate the membership of any person whose conduct in the opinion of the Executive Committee/Shura has been detrimental to the interests of the Organisation, the spirit of Islam or the welfare of the Muslim community, provided that the individual concerned shall have the right to be heard by the Membership Panel Sub-Committee/Shura. Such conduct will include the distribution of leaflets and the promotion of propaganda and goes against the values of the Organisation as stated in Clause 4.

7c. The Executive Committee/Shura may with good reason refuse membership or exclude any person from membership.

7d. Every member aged over 18 will have one vote.



### Clause 8 – Membership/Maintenance Fee

- 8a. There shall be an annual maintenance fee to be used for the day-to-day maintenance of the Organisation as recommended by the General Meeting held every three years. This fee will be due between January to June each year upon terms agreed between the member paying the fee and the Treasurer. A membership receipt will be issued to the member upon payment of the fee and it must be produced as evidence of paid up membership. Only those members who have paid their membership fees in full will be eligible to vote. Any member who has more than two years membership fee outstanding will be automatically suspended from membership. Payment for membership fees needs to be paid 6 months before the annual year ends.
- 8b. Only fully paid members aged over 18 will be eligible to vote and serve on the Executive Committee/Shura. Only fully paid members whose membership has been effective for a period of not less than 3 years will be eligible to serve as members of the Executive Committee/Shura.

### Clause 9 - Honorary Officers

- 9a. At the General Meeting of the Organisation held every three years, the members shall elect from themselves a Chairman/Ameer, a Vice-Chairman/Ameer, a Secretary, an Assistant-Secretary. A Treasurer will be appointed by the Executive Committee/Shura who shall hold office from the conclusion of the first meeting of the Executive from its appointment of the General Meeting; they need to serve at least 3 years at the Executive Committee/Shura to be an office bearer.

### Clause 10 - Executive Committee/Shura

- 10a. The Executive Committee/Shura shall consist of not less than 7 members nor more than 11 members, in recognition of the Committee's duties in accordance to verses in the Quran 5:8 and 49:13 as quoted above, the office bearers will ensure equity, justice and equality in all aspects of its administration of the Charity being:
- 1 - The honorary officers specified in the proceeding clause.
- 10b. The Executive Committee/Shura shall be elected at the General Meeting by the general members every three years if need be it can exceed more than 3 years or when members decide. Conflict of Interest of the Committee membership will ensure that the values embodied within the aforementioned document will be applied. In the event of a conflict of interest is established it shall be addressed accordingly through the Trust Complaints Procedure and following the Appeals process, such a member will be disqualified.



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- 10c. Any position in the Executive Committee/Shura which subsequently becomes vacant due to resignation can only be filled by a meeting of the Appointment & Selection Committee. Founding members/offspring shall can hold the office of the Executive Committee/Shura. Every Executive Committee/Shura members would have to go through a DBS clearance at their own cost.
- 10d. Members of the Executive Committee/Shura must possess suitable character and be of good standing in the Muslim community and should be reasonably versed in religious knowledge and interested in religious activities.
- 10e. It will be the duty of the Executive Committee/Shura to carry out the general policy of the Organisation outlined in Clause 3, subject to any condition imposed by the membership through resolution at the General Meeting or Extraordinary General Meeting. Furthermore it shall be the duty of the Executive Committee/Shura to provide effectively for the day-to-day administration, management and control of affairs and property of the Organisation.
- 10f. Any difficulties in electing or co-opting an Executive Member or failure in doing so shall not invalidate the proceedings of the Executive Committee/Shura.
- 10g. The Executive Committee/Shura will have the power to appoint other functional officers.
- 10h. The Executive Committee/Shura could retire from the office, whenever, they wish at the General meeting.
- 10i. The Executive Committee/Shura shall meet at least five times a year, unless decided otherwise. A special meeting may be called at any time by the Chairman/Ameer or by any four members of the Executive Committee/Shura upon not less than 4 days notice, unless it's an Emergency Meeting that requires immediate decision, being given to other members of the Executive Committee/Shura of the matters to be discussed.
- 10j. There shall be a quorum when at least two thirds of the number of members of the Executive Committee/Shura for the time being are present at a meeting.
- 10k. Every matter shall be determined by a majority of votes of the members of the Executive Committee/Shura present and voting on the question but in the case of equality of votes the Chairman/Ameer of the meeting shall have a second or casting vote.
- 10l. The Executive Committee/Shura shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Executive Committee/Shura and any sub-Committee.





10m. The Executive Committee/Shura may appoint one or more sub-Committees consisting of three or more members of the Executive Committee/Shura for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Executive Committee/Shura would be more conveniently undertaken or carried out by a sub-Committee: provided that all acts and proceedings of any such sub-Committees shall be fully and promptly reported to the Executive Committee/Shura.

#### **Clause 11- Duties of the Chairman/Ameer**

- 11a. To protect the constitution of the Organisation fully and see that rules properly are equitably administered.
- 11b. To preside in the Executive Committee/Shura and over all other meetings of the Organisation.
- 11c. To preserve order, maintain discipline, reconcile and adjudicate differences, settle disputes and establish conduct such to expedite the Organisation's dealings and business.
- 11d. To discharge, reprimand, discipline or remove from office any member of the Executive Committee/Shura whose conduct or actions are non-conductive and damaging to the affairs of the Organisation subject and conditional to a majority decision of the Executive Committee/Shura indicating this action.
- 11e. To have the casting vote in cases of equality.

#### **Clause 12 - Duties of the Vice-Chairman/Ameer**

- 12a. The Vice-Chairman/Ameer is authorised to discharge all duties and responsibilities of the Chairman/Ameer, in his absence.

#### **Clause 13 - Duties of the Secretary**

- 13a. To convene all meetings of the Organisation after prior consultation with the Chairman/Ameer and circulate the agenda to each member entitled to attend such meetings.
- 13b. To keep minutes of all meetings, including the keeping of and drawing up reports that maybe necessary and to keep records of policy decisions and action taken thereof.
- 13c. To supply copies of minutes and reports or other information to the Executive Committee/Shura members entitled to the same and keep them well informed of the Organisation's business.



- 13d. To be responsible for the overall official administration, including correspondence of the Organisation according to and following the instructions, decisions and directives of the Executive Committee/Shura and to take prompt action.
- 13e. To prepare, on the instructions and directives of the Executive Committee/Shura an Annual Report on the progress of the Organisation.
- 13f. To attend such other meetings as the Executive Committee/Shura from time to time decide in a representative capacity.
- 13g. To keep a register of the names and addresses of the Organisation's membership, updated yearly.

#### **Clause 14 - Duties of the Assistant-Secretary**

- 14a. The Assistant-Secretary is authorised to discharge all duties and responsibilities of the Secretary, in his absence.

#### **Clause 15 - Duties of the Treasurer**

- 15a. The Treasurer will be responsible for the maintenance of the accounts of the Organisation, employing the help of independent Auditors as needed and submit yearly audited accounts to the Executive Committee/Shura supported with relevant books, receipts, vouchers etc. and on the Executive Committee/Shura approval the Chairman/Ameer will initial these as having been inspected.
- 15b. To present to the General Meeting on behalf of the Executive Committee/ Shura the audited accounts for three years which have been submitted to the Executive Committee/Shura prior to the General Meeting for their approval.

#### **Clause 16 - Voluntary and paid staff**

- 16a. The Executive Committee/Shura may engage such Officers as Managers, Bankers, Solicitors, Agents, Clerks or other person such as volunteers upon terms as to their duties, powers, duration of office or employment, remuneration or otherwise, as it thinks necessary, in the interest of the Organisation. Provided that no member of the Executive Committee/Shura shall be appointed to a salaried position. However, the important task of the appointment and employment of an Imaam for the organisation can only be performed by the Appointment & Selection Committee.



**Clause 17 - Determination of Membership of Executive Committee/ Shura.**

A member of the Executive Committee/Shura shall cease to hold office if he:

- 17a. Is disqualified from acting as a member of the Executive Committee/Shura by virtue of Section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).
- 17b. Becomes incapable by reason of mental disorder, illness or injury of managing and administering his affairs,
- 17c. Is absent without apologies or the permission of the Executive Committee/Shura from all their meetings held within a period of six months and the Executive Committee/Shura resolve that his office be vacated, or
- 17d. Notifies to the Executive Committee/Shura a wish to resign (but only if at least three members of the Executive Committee/Shura will remain in office when the notice of resignation is to take effect). Executive Committee/Shura has powers to dissolve anyone and then appoint someone else if they are not fulfilling the required duties or tasks.
- 17e. In order to become any office bearer of the organisation it will be compulsory for the person to serve continuously 3 years as a Executive Committee member.
- 17f. An Extraordinary Meeting shall be held, in the event half the members have resigned from the Executive Committee/Shura resulting in the failure of achieving the requirements of "Clause 10a" (The Executive Committee/Shura shall consist of not less than 7 members nor more than 11 members).

**Clause 18 - Executive Committee/Shura Members not to be personally interested**

- 18a. Subject to the provision of sub-clause (B of this clause) no member of the Executive Committee/Shura shall acquire any interest in property belonging to the Charity (otherwise than as a trustee for the Charity) or receive remuneration or be interested (otherwise than as a member of the Executive Committee/Shura) in any contract entered into by Executive Committee/Shura.



18b. Any member of the Executive Committee/Shura for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all the usual professional charges for business done by him or her or his or her firm when instructed by the other members of the Executive Committee/Shura to act in a professional capacity on behalf of the Charity: Provided that at no time shall a majority of the member of the Executive Committee/Shura benefit under this provision and that a member of the Executive Committee/Shura shall withdraw from any meetings at which his or her own instructed or remuneration, or that of his, or her firm, is under discussion.

#### **Clause 19 - Finance**

19a. The following shall constitute the funds of the Organisation:

1. Annual membership fee.
2. Donations and special collections.

19b. The Organisation fund shall be kept in a bank approved by the Executive Committee/Shura in the name of Islamic Cultural Centre. The bank account shall be operated jointly by any four of the following five Executive Committee/Shura Members: Chairman/Ameer, Vice Chairman/Ameer, Secretary, and Treasurer. All bank correspondence such as bank statements etc. should be addressed and directed to the Organisation's main office and not to be received at private addresses of individuals of the Organisation or its Executive Committee/Shura.

19c. Subject as in hereinafter provided monies shall be withdrawn from the bank by any three out of the five aforesaid signatories.

#### **Clause 20 - Funds and Monies belonging to the Society**

20a. The funds of the Organisation will consist of donations collected for various purposes, children's education fees, gifts, loans, raised funds and all other receipts received from any source and such other income as the Organisation may derive.

20b. All donations collected and all other funds raised by whatever means will be made in the name of Islamic Cultural Centre. Such fund raising exercises or collection will only be made on the express authority of the Organisation's Executive Committee/Shura.



- 20c. A cash sum not exceeding One Thousand Pounds can be kept by the Treasurer to meet and cater for expenses for the Organisation's day to day running. The Secretary has the authority and power in an emergency situation to spend up to this amount without seeking prior permission of the Executive Committee/Shura but to whom the matter will have to be referred to in the next following Executive Committee/Shura meeting after the transaction. Cash sum exceeding five hundred pounds can only be entered into with prior approval of the Executive Committee/Shura.
- 20d. The income property and all assets of the Organisation shall be applied by at the direction of the Executive Committee/Shura solely towards the promotion of the aims and objects of the Organisation and to manage, improve and maintain all or any part of the land, other property of the Organisation or carry out new work as approved by the Executive Committee/Shura.

### Clause 21 - Trustees

- 21a. The Charities Act 1993 (S97) defines charity trustees as “the persons having the general control and management of the administration of a charity”. Jaame Masjid have two sets of trustees (1) Managing Trustees and (2) Holding Trustees. Although they are both Trustees of Jaame Masjid they have very different functions. The term ‘Trustees’ is to be read as meaning the charity or managing trustees unless otherwise stated.
1. Charity or Managing Trustees - These individuals shall be appointed as the Executive Committee/Shura placed with the responsibility in managing Jaame Masjid operations on a day to day basis. Where an individual is appointed to the Executive Committee/Shura and accepts the appointment by signing the Trustee Code of Conduct that individual becomes a Trustee of the Jaame Masjid. It is important therefore that every new Executive Committee Member reads through the Constitution in order to ensure they are aware of their responsibilities.
  2. Holding “Custodial” Trustees – Jaame Masjid has made provision for a second set of Trustees to be appointed - these are the “Holding Trustees”. The properties, titles, land and investments owned by the Organisation shall be registered in the name of the “Holding Trustees”. Their sole function is to hold the title to the property. They shall not be involved in the day to day operations of Jaame Masjid, this is the responsibility of the Managing Trustees.
- 21b. The property and all assets of the Organisation shall be vested in the Holding Trustees, to be dealt with by them as the Executive Committee/Shura shall from time to time direct by resolution (of which an entry in the minute book shall be conclusive evidence). The Holding Trustees shall be indemnified against risk and expenses out of the Organisation's assets.
- 21c. No remuneration shall be paid to the members of the Organisation appointed as Trustees. Holding Trustees whilst holding office of Trustee cannot be eligible for election to the Executive Committee/Shura but would be able to attend meetings as observers by invitation.



- 21d. Only founding members and their offspring can serve as Holding Trustees of the Organisation.
- 21e. The Holding Trustees have the right to request for financial details of the Organisation and upon invitation only shall be permitted to attend\observe management meetings.
- 21f. If the Executive Committee/Shura fails to carry out its full responsibilities when a formal complaint has been lodged and served in writing within a period of 21 days, the Holding Trustees can request the Executive/Shura Committee to hold an Extraordinary Meeting if one-third members request in writing for the dissolution of the Executive Committee/Shura. One third members should independently submit written notification of each other citing valid reasons for such vote of no confidence and the actions to be taken with particular reference to the Values and Objects of the Charity whilst demonstrating with supporting evidence the actions of the Executive Committee has been of such Gross Misconduct that is damages the Charity's reputation.
- 21g. Prior to an Extraordinary Meeting being held, the Holding Trustees shall undertake a full investigation and satisfy themselves of any negligence/wrong doing. The Holding Trustees shall report their findings to an independent scrutiny panel and if the investigation validates the findings as bona fide only shall then an Extraordinary Meeting be held to decide on the outcome of the investigation and position of the Executive Committee/Shura.

#### **Clause 22 - Annual Report**

- 22a. The Executive Committee/Shura shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Charity Commission.

#### **Clause 23 - General Meeting**

- 23a. There shall be a General Meeting of the Organisation which shall be held in every three years or as soon as practicable thereafter.
- 23b. Every General Meeting shall be called by the Executive Committee/Shura. The Secretary shall give at least 21 days' notice of the general meeting to the members of the Organisation at the Masjid public notice board and in writing by letter and/or by electronic correspondence. All the members of the Organisation shall be entitled to attend and vote at the meeting provided they are eligible.
- 23c. Before any other business is transacted at the General Meeting the persons present shall appoint a Chairman/Ameer of the meeting.



- 23d. The Executive Committee/Shura shall present to General Meeting the report and accounts of the Organisation for the preceding three years.
- 23e. If anyone wishes to be elected on to the Executive Committee/Shura. The individual nomination must be made by the members of the organisation in writing and must be hand delivered to the Secretary at least 7 days before the General Meeting.
- 23f. Office bearers as prescribed in "Clause 9a" of the Executive Committee/Shura shall be permitted to serve two terms in the designated position prescribed. If the Executive Committee/Shura member expresses to serve again in the same designated position they held previously, they shall be required to defer appointment to such a position for a minimum period of three years. Office bearers shall be permitted to remain on the Executive Committee/Shura beyond two terms on the provision they are re-elected and shall not be appointed to the same designated position they previously held over the two terms.

#### **Clause 24 - Extraordinary General Meetings**

- 24a. The Executive Committee/Shura may call an Extraordinary General Meeting of the Organisation at any time. If at least one-third members request such a meeting in writing stating the reason of business to be considered the secretary shall consult the Executive Committee/Shura for consideration. At least 7 days' notice must be given. The notice must state the business to be discussed.

#### **Clause 25 - Procedure at General Meetings**

- 25a. The Secretary or other person shall keep a full record of proceedings by taking minutes at every general meeting.
- 25b. There shall be a quorum when at least one-quarter of the number of members of the Organisation are present at any general meeting.
- 25c. If the first meeting of the General Meeting under 23B was not in quorum, then a further meeting will be held with a 21 day period upon notice to the members. Those attending the second meeting (where the meeting attendance does not have to be quorate) will have the right to pass the resolution of the Charity.





### Clause 26 - Notices

26a. Any communication required to be served on any member of the Charity shall be in writing and shall be served by the Secretary or the Executive Committee/Shura on any member either personally or by sending it through the post in a prepaid letter addressed to such member at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

### Clause 27 - Alterations to the Constitution.

27a. Subject to the following provisions of this clause the Constitution may be altered by resolution passed by not less than two-third members of the General Membership. For the amendment(s), a minimum of one-third members will be required to submit the amendment in writing. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.

27b. No amendments may be made to clause 1 (the name of charity clause), clause 3 (the objects clause), clause 5 (the membership clause), clause 16 (Executive Committee / Shura Members not to be personally interested clause), clause 26 (the dissolution clause) or this clause.

27c. No amendment may be made which would cause the charity to cease to be a charity at law.

27d. The Executive Committee/Shura should promptly send to the Commissioners a copy of the amendment made under this clause.

### Clause 28 - Dissolution

28a. If the Executive Committee/Shura decides that it is necessary or advisable to dissolve the charity it shall call a meeting of all members of the charity, of which not less than 21 days' notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting the Executive Committee/Shura shall have power to realise any assets held by or on behalf of the charity. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institutions having objects similar to the objects of the charity may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement, for the final accounting period of the Charity shall be sent to the Commissioners.





### Clause 29 – Misconduct

- 29a. The Executive Committee/Shura has the right to reject and/or withdraw membership of any individual/member. For instance, any one causing nuisance or distress, damaging the society reputation, giving out false information which is detrimental, about the Organisation, including shouting or causing disturbance in the organisations, which includes public announcement using microphone without permission of Executive Committee will result in gross misconduct.
- 29b. If anyone is a member or part of an Executive Committee of another Mosque Committee, they cannot serve on Jaame Masjid Executive Committee/Shura in order to avoid any form of conflict of interest. Once appointed and if it is later found that the member is serving on another Masjid/Mosque Committee, the Chairman/Ameer/Committee have the right to dismiss the member from the Committee.

DRAFT 2018 VERSION



**Interpretation:** (For avoidance of doubt)

1. The following terms and expressions shall have the meanings assigned to them in this constitution, unless the context clearly indicates or requires otherwise and shall be understood in the context of the detailed articles embodied in this constitution

**Shari'ah:** shall mean Islamic Law as expounded within the confines of the four juristic schools of thought viz. Hanafi, Shafi, Maliki and Hambali Schools

**Shura / Management Committee:** shall mean the management Committee comprising of the board of life trustees and the panel of elected officials

**Shura Members:** shall mean any member who is a life trustee or an elected official

**Elected officials:** shall mean a member who was successfully elected at an EGM of the congregation or was co-opted to serve upon the Shura Committee by itself

**Muslim:** shall mean any person whose belief systems shall not be at variance with the requisite beliefs as expounded by the scholars of the Ahlus-Sunnah wal Jama'ah and as interpreted by the bonafide Ulama bodies, such as Qadianis, Ahmedies, Bahias, Zikrees, Ismaili and other Shias

**Musallee:** shall mean any Muslim male of 18 years or above who frequents the congregational prayers at any of the congregational prayer facilities controlled by Jaame Masjid

**General members of the congregation:** shall mean all Musallees who had successfully applied for membership to the congregation by fulfilling the conditions of membership

**Bonafide Ulama body:** shall mean the Jamiatul-Ulama or the Darul-Ulooms affiliated or aligned to the above institutions or their successors or appointees

**Membership officer of the congregation:** shall mean a person designated by the Shura Committee to handle and process membership application forms and to maintain and update the membership register

**Electoral Officer of the congregation:** shall mean a person designated by the Shura Committee to organize and oversee the smooth and fair operation of elections at general meetings and closed ballots

**Code of conduct for members of the Shura Committee:** shall mean a document wherein the Islamic requirements and guidelines for Shura Members and Trustees of Islamic Trusts are set out and a copy whereof shall remain with each member of the Shura Committee; and a careful study whereof shall be deemed necessary for all Shura members