

# Constitution of the Manitoba Islamic Association Incorporated

## **Article I. Preamble**

- 1.01 Whereas we affirm the ultimate and the absolute sovereignty of Allah (SWT)- the Beneficent, the Merciful, the Sustainer of the worlds;
- 1.02 Whereas we affirm that Prophet Muhammad (peace be upon him) is the last and the final Messenger of Allah (SWT); and
- 1.03 Where as we trust that the Qur'an and the Sunnah are the penultimate source of guidance, laws, regulations and philosophy of life;

WE, THE MUSLIMS OF MANITOBA, HEREBY JOIN TOGETHER TO FORM AN ASSOCIATION HEADQUARTERED IN THE CITY OF WINNIPEG TO BE CALLED THE "MANITOBA ISLAMIC ASSOCIATION" WHOSE PRIMARY OBJECTIVE IS TO CREATE, NOURISH, AND MAINTAIN A TRULY ISLAMIC COMMUNITY IN MANITOBA FOR THE MUSLIMS.

## **Article II. Aims and Objectives**

- Section (1) The Association shall be an independent, charitable, religious, social and cultural, non-profit, non-political and non-sectarian organization incorporated under the laws of the Province of Manitoba.
- Section (2) The aims and objectives of the Association are:
- (a) To promote the principles and teachings of Islam based on the absolute belief in the Oneness of Allah and the unqualified belief in the Prophethood of Muhammad (u.w.b.p.) as the last Messenger of Allah, i.e. after Muhammad (u.w.b.p.) no one will either receive in the Shariah (Islamic Law) established by Muhammad (u.w.b.p.). Or in the words of Muhammad (u.w.b.p.) "Oh People, no Prophet or Apostle will come after me two things, The Qur'an and my example, the Sunnah and if you follow these you will never go astray."
  - (b) To fulfill the religious, social and cultural needs of the Muslims of Manitoba.
  - (c) To promote a sense of mutual respect and greater understanding between the Muslims and the larger community in the province;
  - (d) To assist the Muslims in taking their rightful place in the multicultural mosaic of Manitoba in particular and of Canada in general:
  - (e) To promote the general welfare and to represent the interest of the Muslim community in Manitoba:
  - (f) To promote a better understanding of Islam among peoples of all faiths; and
  - (g) To own, acquire, establish, rent and maintain any property, physical facilities or assets which would help achieve the after said aims and objectives.

## **Article III. Membership**

Section (1) The membership of the Association shall comprise of the following categories:

(a) Full Member

An adult who affirms the preamble and

- (i) believes in the aims and objectives of the Association;
- (ii) is residing in Manitoba;
- (iii) has completed and forwarded an application for membership to the Secretary of the Association and has duly paid the membership fee for the current year; provided that the term “adult” in this context shall be interpreted according to the laws in force in Manitoba;

(b) Associate Member

Any of the following who has completed and forwarded an application for membership to the Association and has paid the membership for the current year:

- (i) A Muslim residing in Manitoba who is not interested in becoming a Full Member under sub-section (a) of this Section;
- (ii) A Muslim residing outside of Manitoba;
- (iii) Any non-Muslim interested in the aim and objectives of the Association;

(c) Honorary Member

Individuals who, in the option of the General Assembly are regarded to have rendered outstanding service to the cause of the Association;

Section (2)

- (a) Membership fees as approved by the General Assembly and reviewed from time to time as per Article (XIII) shall be payable at the beginning of each calendar year;
- (b) Membership shall be considered to have lapsed if the annual membership dues for that year are not paid by the end of February of that year. After such time a brother/sister may rejoin the Association in accordance with Article III Section 1.

Section (3) If anytime during the membership year an existing full member ceases to qualify for membership in the Association in accordance with Article III Section 1 (a) his/her membership will automatically be terminated effective the date he/she ceased to qualify as a member.

## **Article IV. General Assembly**

Section (1) Full members as defined in Article III Section (1)(a) shall constitute the General Assembly of the Association;

Section (2) The General Assembly shall be the governing authority of the Association.

## **Article V. Executive Council**

Section (1) There shall be an Executive consisting of seven duly elected Full Members comprising of the following office-bearers:

- (a) President
- (b) First Vice-President
- (c) Second Vice-President
- (d) Secretary
- (e) Treasurer
- (f) Two Executive Members

Section (2) The term of office of the Executive Council shall be two years. However, any member of the Executive Council may seek reelection for more than one term.

Section (3) To seek election to any position in the Executive Council, a member must be a full-time member of the Association in good standing since at least 90 (ninety) days prior to the date of the Annual General Meeting and election.

## **Article VI. Duties, Functions and Powers of the Executive Council**

Section (1) The Executive Council shall implement and execute the decisions of the General Assembly;

Section (2) It shall be empowered to:

- (a) Initiate activities to promote the aims and objectives of the Association;
- (b) Prepare the annual budget, have it approved by the General Assembly and control funds and expenditures of the Association according to the approved budget;
- (c) Approve or appoint members to standing and special committees;

Section (3) Member of the Executive Council, either individual or jointly, shall not be awarded a monetary remuneration by the Association for their Executive Council responsibilities;

Section (4) Four members of the Executive Council shall constitute a quorum of its meetings;

Section (5) The Executive Council shall meet on a regular basis;

Section (6) The president or the Secretary shall call a meeting with in seven days of notification if requested to do so by three members of the Executive Council;

Section (7)

- (a) In the event of an Executive position becoming vacant for whatever reason, it may be temporarily filled by the Executive Council to a maximum of two positions until the next General Assembly meeting, at which time a by-election will be held to fill these vacancies for the remainder of the term(s) of office. This does not apply to the position of President and Vice President;
- (b) If the position of President or Vice President or if more than two Executive positions become vacant by resignations etc. in any given year, these positions are to be filled through a by-election.

Section (8) All cheques and withdrawal of funds from the account(s) of the Association shall be signed by any two of the following: The President and the Secretary or the Treasurer of the Association or any other member of the Executive Council or Trustee thus authorized by the Executive Council.

Section (9) The Executive Council shall be accountable for all its actions and activities to the General Assembly;

Section (10) Duties of the President

- (a) The President shall:
  - (i) Be the chief spokesman of the Association;
  - (ii) Preside over the meeting of the Executive Council;
  - (iii) Plan, organize and conduct the meetings of the General Assembly;
  - (iv) Have general supervision of the affairs of the Association;
  - (v) Be, ex-officio, a member of all committees established by the Executive Council;
  - (vi) Present the annual report to the Annual General Assembly Meeting on behalf of the Executive Council;
- (b) The President shall do and perform all other duties applicable to his position including the signing of all documents requiring the corporate seal of the Association;

Section (11) Duties of the First Vice-President

- a) The First Vice-President (or in his absence the Second Vice-President) shall perform the duties and responsibilities of the President in the President's absence, when requested to do so by the President, or if the position of the President falls vacant for whatever reason;
- b) The First and (the Second) Vice-President shall perform all duties assigned to that office by the Executive Council.

Section (12) Duties of the Secretary

- a) The Secretary shall keep or direct the keeping of an accurate record of all proceedings of the Association, and shall keep an accurate record of attendance at all Executive Council and General Assembly meetings;
- b) The Secretary shall bring before the Executive Council all official communications and notice, and shall maintain a record of same;
- c) The Secretary shall give the necessary notice of meetings of the General Assembly and of the Executive Council;
- d) The Secretary shall be the custodian of the "corporate seal" of the Association;
- e) The Secretary shall post a list of those Members eligible to vote at least two weeks prior to any General Assembly meeting;

Section (13) Duties of the Treasurer

- a) The Treasurer shall be the custodian of all funds/donations/contributions collected, raised or received in the name of the Association, and shall keep such funds in such financial institution(s) as the Executive Council may decide;
- b) The Treasurer shall prepare an annual budget for approval by the General Assembly;
- c) The Treasurer shall make regular financial reports to the Executive Council of expenditures, all receipts and the balance of the Association's account(s);
- d) The Treasurer shall further make an annual report to the General Assembly on receipts, investments and expenditures as of the end of the fiscal year. Such a report shall have been duly audited by an auditor other than members of the Executive Council or Board of Trustees appointed by the General Assembly;

- e) The fiscal year of the Association for such an audited report shall be from October 1 to September 30.

## **Article VII. Board of Trustees**

Section (1) There shall be a Board of Trustees comprising of three duly elected members;

Section (2)

- a) The member of the Board of Trustees shall be elected by the Annual General Assembly for a period of three years from the date of their election, except as provided for in Article X Section (2);
- b) The Chairman of the Board of Trustees shall be the longest serving trustee of the three-member Board;
- c) In the event of a position on the Board of Trustees falling due for whatever reason, it shall be filled by a duly elected member for the remainder of the duration of the vacant membership at the first General Assembly meeting following the date the position became vacant.

## **Article VIII. Objectives, Functions and Powers of the Board of Trustees**

Section (1)

- a) The Board of Trustees shall undertake those major capital projects assigned to it by the General Assembly;
- b) Upon the completion of a project it shall be handed over to the Executive Council which henceforth, shall be solely responsible for its use, operation, management and maintenance;
- c) The General Assembly may, upon the recommendation of an ad-hoc committee formed by the General Assembly for this purpose, declare a project or projects to have been completed;
- d) The general plans and estimated expenditures for the disposal of the designated funds must be approved by the General Assembly;

Section (2)

- a) No member of the Board of Trustees shall hold office on the Executive Council simultaneously;
- b) Members of the Board of Trustees, either individually or jointly shall not be awarded directly or indirectly a monetary remuneration by the Association;

Section (3) It shall be the duty of the Steering Committee to ensure fair, free, and honest elections and to serve the remainder of the electorate that “race, color, national origin, regional and linguistic affiliations have no meaning in Islam.”

Section (4) The term of office of the Executive Council shall be 2 years from the date of elections;

Section (5) Member of the Election Steering Committee shall retain voting privileges only when conducting the election of the Association;

Section (6) Voting in the election of the Executive Council / Board of Trustees shall be by secret ballot;

Section (7) Candidates must obtain a simple majority to be elected to the position being contested;

Section (8) Every full member provided he/she had paid his/her membership dues shall have one vote.

## **Article IX. Resignation(s) and Removals**

Section (1) A member of the Executive Council who fails to attend three consecutive meetings of the Executive Council without prior notification to the Secretary of the President shall be considered to have resigned from the Executive Council;

Section (2) A member of the Board of Trustees who fails to attend three consecutive meetings of the Board of Trustees without prior notification to the Chairman of the Board of Trustees, shall be considered to have resigned from the Board of Trustees.

## **Article X. Meetings of the General Assembly**

Section (1)

- a) The General assembly shall meet at least once annually in November at which meeting:
- b) A minimum notice of four weeks by the Executive Council shall be required for calling a meeting of the General Assembly;
- c) A Full Member, as per Article III Section (1) (a), shall have the right to propose to the Executive Council the inclusion into the Agenda of a duly seconded notice of motion that pertains to policy matters. Such notice of motion shall reach the Secretary the Association not later than two weeks prior to the scheduled General Assembly meetings;
- d) The Agenda for all General Assembly meetings shall be circulated no later than one week prior to the scheduled meeting;
- e) No other business except those stated in the agenda proposed for the meeting shall be transacted;

Section (2)

- a) Special meetings of the General Assembly may be called by the Executive Council on a minimum notice of one week, subject to the provisions of Section (1) (d) of this Article;
- b) Upon receipt of written request signed by at least 25 Members, the Executive Council shall be required to call a special meeting of the General Assembly within two weeks of receipt of such a written request, subject to the provisions of Section (1) (d) of this article.

## **Article XI. Quorum**

Section (1) Thirty three Members or 33% of the Full Members as per Article III Section (1) (a), whichever is the greater, present at a duly called General Assembly meeting shall constitute quorum;

Section (2) All decisions, except for amendment(s) to the constitution shall be by a majority vote of those present;

Section (3) If a quorum is not present at the first meeting called for within one-half hour, then that meeting shall be adjourned for two weeks, notice for which shall be circulated to the membership. Members so present at this meeting shall constitute a quorum;

Section (4) To be eligible to vote at the Annual General Meeting in November a person must be a paid Full Member as of September 30 of that year. At other General Assembly meetings, a Full

Member must have paid his annual dues prior to the commencement of the meeting to be eligible to vote at that meeting;

Section (5) The Executive Council shall post a list of the Full Members of the Association as of September 30 at the Islamic Center no later than October 15 of that year.

## **Article XII. Fiscal Year and Membership Due**

Section (1) The fiscal year of the Association shall end on September 30 of each year.

Section (2) The membership dues shall be approved by the General Assembly at the Annual meeting upon the recommendation of the Executive Council.

## **Article XIII. By Laws**

Section (1) By-Laws may be added to this Constitution;

Section (2) By Laws and amendments to By-Laws shall follow the same procedure as to the amendments to the Constitution (Article XV) except that such By-Laws and/or amendments(s) thereto can be effected by a two-thirds majority vote at any General Assembly meeting.

## **Article XIV. Amendments to the Constitution**

Section (1)

- a) The Constitution of the Association may be amended at an Extraordinary General Assembly meeting specifically called for this purpose;
- b) Notice of the proposed amendment(s) must be given to the Executive Council, in writing, signed by at least 20 percent of the members or by notice of a specially formed Constitution committee sanctioned by the General Assembly;
- c) The Executive Council may also initiate amendments to the Constitution by calling Extraordinary general meetings. Notice of such meeting and proposed amendments must be circulated to members in good standing by the General Secretary one week prior to the date of such meeting.