

786

In the name of Allah, the Beneficent, the Merciful.
All Praise is due to Allah (subhanu wa ta'ala)
Who through His benevolence has bestowed upon us
as His favour the inspiration to form this body which we herby do.
We pray for Allah's help and guidance
in the attainment of our purpose
and we pray for His pleasure.
We also pray for His blessings to be showered upon
Prophet Muhammed (p.b.u.h) and his progeny.

CONSTITUTION OF

MASJID-E-ALI (A.S)

(Anjuman-e-Haideria)

Shia Ithna-Asheri Ahlul Bayt Muslim Community of Luton
2-32 Beechwood Rd, Luton, Bedfordshire, LU2 7HZ.

Other Properties

5 Beech Rd
Luton
Bedfordshire
LU1 1DW

Trustees

Shams Kanani
Dr. Irshad Mirza
Syed Muzamel Shah
Syed Abbas Ali Shah
Raja Ahmed Abbas
Dr. Syed Hussain Raza
Syed Qaiser Abbas Shah
Syed Bilal Ali Rizvi
Syed Zaheer Abbas
Jaber Ali Mir

Solicitors

Taylor Walton
28-44 Alma St
Luton
LU1 2PL

Bankers

Barclays Bank Plc
28 George St
Luton LU1 2AF

Accountant

Durrani, Vijh, Khan and Co
113 London Rd
AL1 1LR

1 Title

There is hereby established an Organisation of the followers of the Shia Ithna-Asheri Ahlul Bayt Muslim faith in Luton, Bedfordshire to be known as Masjid-e-Ali (a.s).

2 Definitions

In this constitution the following expressions shall have the following meanings:-

- 2.1 'the Organisation' shall mean the followers of the Shia Ithna-Asheri Ahlul Bayt Muslim faith in Luton Bedfordshire forming part of Masjid-e-Ali (a.s);
- 2.1.1 The organisation will refer to Islamic system of Marja'aiyyat and guardianship to determine Shari'ah position and divine commandments or regarding particular set of circumstances with reference to Islamic legal system and interests of Muslims.
- 2.2 'the Community' shall mean all those persons in Luton who are of the Shia Ithna-Asheri Ahlul Bayt Muslim faith;
- 2.3 'the Constitution' means this constitution as originally adopted subject to any amendments made in accordance with the provisions hereinafter contained;
- 2.4 'the Executive Committee' shall mean the members for the time being of the Executive Committee of the Organisation constituted in accordance with the Constitution or a quorum of such members at a meeting of the Executive Committee; the Executive Committee are the managing trustees of the charity;
- 2.5 'the AGM' shall mean a general meeting of the members of the Organisation convened in accordance with the Constitution;
- 2.6 'the President of the Organisation' shall mean the President of the Organisation for the time being elected in accordance with the Constitution;
- 2.7 'the Vice President' shall mean the Vice President of the Organisation for the time being elected in accordance with the Constitution;

- 2.8 'the Secretary General' shall mean the Secretary General for the time being of the Organisation elected in accordance with the Constitution;
- 2.9 'the Honorary Treasurer' shall mean the Honorary Treasurer for the time being of the Organisation elected in accordance with the Constitution;
- 2.10 'the Office Bearers' shall mean the President, Vice President, Secretary General, Vice Secretary General, Treasurer, Vice Treasurer and Stage Secretary for the time being of the Organisation Elected and/or appointed in accordance with the Constitution;
- 2.11 'the Holding Trustees' shall mean the persons for the time being holding the property of the Organisation in accordance with the Constitution;
- 2.12 'the Ahlul Bayt' shall mean the progeny of prophet Muhammed (p.b.u.h);

PART 1

3 Date of Amendment 25 Dec 2013

4 The Name Masjid-e-Ali (a.s) (Anjuman-e-Haideria)

5 The Objects

The Organisation's objects are:

- 5.1 To promote and advance the religion of Islam as narrated and interpreted by our Holy Prophet Muhammed (p.b.u.h) and the A-imma Ithna-Asheri Ahlul Bayt.
- 5.2 To promote the Quran and Sunnah of the prophet Muhammed (p.b.u.h.)
- 5.3 To provide religious education in the principals of the Islamic faith as taught by the Holy Prophet Muhammed (p.b.u.h) and the A-imma Ithna- Asheri Ahlul Bayt.

6 Powers of the Committee

- 6.1 In furtherance of the objects the Committee must provide:
- 6.1.1 majalis programmes to commemorate the shahadat and wiladat anniversaries of the fourteen infallible Ahlul Bayt.
 - 6.1.2 the Muharram majalis programme commemorating the tragic events of Karbala.
 - 6.1.3 children's Quranic and Educational classes.
 - 6.1.4 services of an Aalim for the daily prayers, marriage and funeral services.
 - 6.1.5 an environment to encourage further participation of members.
- 6.2 In furtherance of the objects, the committee may provide assistance to those suffering from poverty, ill health, and natural disasters and to relieve elderly people in need.
- 6.3 The Committee must provide the services of resident Aalim or a zakir.
- 6.4 The Committee must manage the business of the Organisation and they have the following powers in order to further the Objects (but not for any other purpose):
- 6.4.1 to raise funds. In doing so, the Committee must not undertake any substantial permanent trading activity and must comply with any relevant statutory regulations;
 - 6.4.2 to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use with the approval of the trustees comply as appropriate with sections 36 and 37 of the Charities Act 1993;
 - 6.4.3 to sell, lease or otherwise dispose of all or any part of the property belonging to the Organisation. In exercising this power, the Committee must with the approval of the trustees comply as appropriate with sections 36 and 37 of the Charities Act 1993;
 - 6.4.4 to borrow money and to charge the whole or any part of the property belonging to the Organisation as security for repayment of the money borrowed. The Committee must with the approval of the trustees

- comply as appropriate with sections 38 and 39 of the Charities Act 1993 if they intend to mortgage land;
- 6.4.5 to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them if feasible;
- 6.4.6 to acquire, merge with or enter into any partnership or joint venture arrangement with any other Organisation formed for any of the Objects;
- 6.4.7 to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;
- 6.4.8 to obtain and pay for such goods and services as are necessary for carrying out the work of the Organisation;
- 6.4.9 to open and operate such bank and other accounts as the Committee consider necessary and to invest funds and to delegate the management of funds as permitted to do by the Committee member Act 2000;
- 6.4.10 Invite and receive contributions by the way of membership fee, donation or khums.
- 6.4.11 To promote inter faith dialogue with the other communities.
- 6.4.12 Power to keep any building for the time being forming part of the property of the Organisation insured against any risks with Insurance Underwriters or some Insurance office of repute in the name of the Organisation and for such purposes all premiums and other moneys which may be required may be paid out of the assets of the Organisation.
- 6.4.13 They must also insure suitably in respect of public liability and employers liability.
- 6.43 Power to permit any freehold or leasehold premises forming part of the property of the Organisation to be occupied and used by any other charity or non-profit making institution upon such terms as to rent, rates, taxes and outgoings and as to insurance, repair and decoration as the Executive Committee shall in the absolute discretion think fit.
- 6.4.14 to do all such other lawful things as are necessary for the achievement of the Objects.

- 6.5 No alteration of this constitution or any special resolution shall have retrospective effect to invalidate any prior act of the Committee.
- 6.6 Any meeting of Committee at which a quorum is present at the time the relevant decision is made may exercise all the powers exercisable by the Committee provided that those voting do not have a conflict of interest and are fully aware of the issue on which they are to vote

7 Patron & Religious Authority

- 7.1 In responsibilities delegated by a Shia Ithna-Asheri Ahlul Bayt of Fiqh Jafaria, the President in conjunction with the Executive Committee shall have the power to act on behalf of the Organisation to fulfil the religious obligation. However, in financial matters such as receipt and disbursements of Khums and other religious dues the normal financial rules of the Organisation shall apply.
- 7.2 Any Aalim or Zakir hired by the Committee or a member of the community must follow and practice clause 5.1, 5.2 and 5.3.

8 Application of Income and Property

- 8.1 The income and property of the Organisation shall be applied solely towards the promotion of the Objects.
- 8.2 A Committee member may pay out of, or be reimbursed from, the property of the Organisation reasonable expenses properly incurred by him or her when acting on behalf of the Organisation.
- 8.3 None of the income or property of the Organisation may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Organisation.

This does not prevent:

- 8.4 A member who is not also a Committee member from receiving reasonable and proper remuneration for any goods or services supplied to the Organisation.
- 8.5 A Committee member from buying goods or services from the Organisation upon the same terms as other members or members of the public;

9 Holding Trustees

- 9.1 To become eligible for the post of a trustee the person must be a fully paid member of the Organisation for a minimum of 5 years immediately preceding his appointment with no subversive motives.
- 9.2 The Trustees shall be appointed by the existing Trustees and the Executive Committee.
- 9.3 The property and assets of the Organisation shall be vested in no fewer than three and no more than six trustees.
- 9.4 A Trustee will forfeit his or her office if he or she:
- 9.4.1 ceases to reside permanently in the UK;
 - 9.4.2 has been convicted at any time of any offence involving deception or dishonesty, unless the conviction is legally regarded as spent;
 - 9.4.3 becomes incapable by reason of mental disorder, injury or health of administering his own affairs;
 - 9.4.4 ceases to be a Shia Ithna-Asheri Muslim;
 - 9.4.5 is adjudged bankrupt;
 - 9.4.6 is disqualified from being company director.
 - 9.4.7 the post of the trustee with the exception of Shams Kanani shall be reviewed by the executive committee and the trustees after 10 years of service or when a Trustee reaches the age of 65 or which ever comes first.

10 Liabilities of the Trustees

- 10.1 The Trustees shall concur in and do all acts necessary to enable the AGM or Executive Committee to exercise their powers hereunder unless the matter in which the Trustees are requested to concur involves or is in the opinion of any of the Trustees likely to involve the Trustees in any liability unacceptable to any of the Trustees.

11 Dissolution

- 11.1 If ninety per cent of the members resolve to dissolve the Organisation the Committee will remain in office as the Organisation Committee and the trustees will be responsible for winding up the affairs of the Organisation in accordance with this clause.

- 11.2 The Committee & Trustees must collect in all the assets of the Organisation and must pay or make provision for all the liabilities of the Organisation.
- 11.3 The Committee & Trustees must apply any remaining property or money:
- 11.3.1 directly for the Objects;
 - 11.3.2 by transfer to any charity or charities for purposes the same objects as the Organisation;
 - 11.3.3 in such other manner as the organisation and Charity Commissioners for England and Wales (“the commission”) may approve in writing in advance.
- 11.4 The members may pass a resolution before or at the same time as the resolution to dissolve the Organisation specifying the manner in which the Committee are to apply the remaining property or assets of the Organisation and the Committee must comply with the resolution if it is consistent with sub-clause 12.1 & 12.2.
- 11.5 In no circumstances shall the net assets of the Organisation be paid to or distributed among the members of the Organisation.
- 11.6 The Committee must notify the Commission promptly that the Organisation has been dissolved. They will need to forward the final accounts together with the minutes of the meeting at which the decision was taken to wind up.

12 Amendments

- 12.1 Any provision contained in Part 1 of this Constitution may be amended provided that:
- 12.1.1 no amendment may be made that would have the effect of making the Organisation cease to be an Organisation at law;
 - 12.1.2 no amendment may be made to alter the Objects if the change would not be within the reasonable contemplation of the members of or donors to the charity;
- 12.2 Any provision contained in Part 2 of this constitution may be amended, provided that any such amendment is made by resolution passed by a simple majority of the members present and voting at a general meeting.
- 12.3 A copy of any resolution amending this constitution must be sent to the Commission within twenty-one days of it being passed.

PART 2

13 Memberships

13.1 Membership is open to any person who whole heartedly believes in the Quran and sunnah of the prophet and sayings of the A-imma Shia Ithna-Asheri Ahlul Bayt. The applicant must be over the age of eighteen residing locally or organisations that are approved by the Committee. Membership is compulsory for all persons who regularly use the Organisations facilities.

13.1.1 An application to become a member is conditional upon the applicant accepting and acting in accordance with the Islamic system of Marja'aiyyat.

13.1.2 Member must be over the age of 18 and reside within 20 Miles radius of the organisation.

13.1.3 Members agree to abide by by the Constitution and all byelaws, membership rules etc as determined from time to time by the Executive Committee.

13.1.4 Members must ensure they do not bring the organization into disrepute through their words or actions.

13.2 The Committee may only refuse an application for membership if acting reasonably and properly, they consider it to be in the best interests of the Organisation to refuse the application:

13.2.1 the Committee must inform the applicant in writing of the reasons for the refusal within twenty-one days of the decision;

13.2.2 the Committee must consider any written representations the applicant may make about the decision. The Committee's decision following any written representations must be notified to the applicant in writing but shall be final.

13.3 Membership is not transferable to anyone else.

13.4 The Committee must keep a confidential register containing the

names and addresses of all the members.

- 13.5 Every member shall pay the membership fee as from time to time determined by the Executive Committee.
- 13.6 The said subscription shall be due on January 1st and shall be paid to the Treasurer not later than March 31st every year.

14 Termination of Membership

Membership is terminated if:

- 14.1 The member dies or, if it is an Organisation, ceases to exist.
- 14.2 The member resigns by written notice to the Organisation unless, after the resignation there would be less than two members.
- 14.3 Members who fail to pay their subscriptions by the due date shall automatically forfeit all their voting rights as members of the Organisation until the arrears are paid in full provided that where a member satisfies the Executive Committee that the failure to pay subscription was due to genuine difficulties or other just cause the Executive Committee may extend the period within which the outstanding subscription must be paid and such member shall not during such extended period forfeit its voting rights as a member of the Organisation.
- 14.4 The member is removed from membership by a resolution of the Committee that it is in the best interests of the Organisation that his or her membership is terminated. A resolution to remove a member from membership may only be passed if:
- 14.4.1 the member has been given at least twenty-one days notice in writing of the meeting of the Committee at which the resolution will be proposed and the reasons why it is to be proposed;
- 14.4.2 the member or, at the option of the member, the member's representative (who need not be a member of the Organisation) has been allowed to make representations to the meeting;
- 14.4.3 the member ceases to be a Shia Ithna-Asheri Ahlul Bayt Muslim.

15 General Meetings

- 15.1 An Annual General Meeting (AGM) must be held on 25th December

in each subsequent year and not more than fifteen months may elapse between successive Annual General Meetings.

- 15.2 All General Meetings other than Annual General Meetings shall be called Special General Meetings.
- 15.3 The Committee may call a Special General Meeting at any time.
- 15.4 The Committee must call a Special General Meeting if requested to do so in writing by at least ten members or one tenth of the membership, which ever is the greater.
The request must state the nature of the business that is to be discussed. If the Committee fail to hold the meeting within twenty-eight days of the request, the members may proceed to call a special general meeting but in doing so they must comply with the provisions of this Constitution.
 - 15.4.1 if a quorum of one third is not present within half an hour from the time appointed for the meeting; or
 - 15.4.2 during a meeting a quorum ceases to be present, the meeting shall be adjourned to such time and place, as the Committee shall determine.
- 15.6 The Committee must reconvene the meeting and must give at least seven clear days' notice of the reconvened meeting stating the date, time and place of the meeting.
- 15.7 If no quorum is present at the reconvened meeting within fifteen minutes of the time specified for the start of the meeting the members present at that time should constitute the quorum for that meeting.

16 Chair

- 16.1 General meetings shall be chaired by the person who has been elected a President.
- 16.2 If there is no such person or he or she is not present within fifteen minutes of the time appointed for the meeting then a Committee member nominated by the Committee shall chair the meeting.
- 16.3 If there is only one Committee member present and willing to act, he or she shall chair the meeting.
- 16.4 If no Committee member is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the

members present and entitled to vote must choose one of their number to chair the meeting.

17 Adjournments

- 17.1 The members present at a meeting may resolve that the meeting shall be adjourned.
- 17.2 The person who is chairing the meeting must decide the date time and place at which meeting is to be reconvened unless those details are specified in the resolution.
- 17.3 No business shall be conducted at an adjourned meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
- 17.4 If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' notice shall be given of the reconvened meeting stating the date time and place of the meeting.

18 Votes

- 18.1 Each paid member shall have one vote but if there is a tie of votes the person who is chairing the meeting shall have a casting vote.
- 18.2 A vote in writing signed by a paid member unable to attend due to ill health (or in the case of a member that is an authorised Organisation, by its authorised representative) who would have been entitled to vote upon it had it been proposed at a general meeting shall be effective when presented to two authorised Executive members.
- 18.3 Members who fail to pay their membership by the due date shall forfeit the voting rights and membership privileges until the arrears are paid in full.

19 Executive and Committee Members

- 19.1 The Organisation and its property shall be managed and administered by a maximum of seventeen Committee Members comprising the Executive Members and Committee Members elected in accordance with this constitution. The Executive and Committee members of The Committee shall be the members of the Organisation and in this constitution are together called "Committee Members".

19.2 The Organisation shall have the following Executive Member posts.

- President
- Vice President
- General Secretary
- Vice Secretary
- Treasurer
- Vice Treasurer
- Stage Secretary

19.3 Terms of Office

The above Office Bearers elected by the AGM shall hold office for a term of three (3) years and will only be eligible for election if they have been fully paid up members for a minimum of three (3) years immediately preceding the election.

19.4 Any members appointed by the elected Executive Committee shall also hold office for a Term of three (3) years or as determined from time to time.

19.5 Committee Members must endeavour to serve the full term of office.

19.6 Any resignation by an Executive Member must be given in writing to the Executive Committee and the Trustees and the period of notice shall be 1 month unless otherwise agreed.

19.7 The Committee shall appoint a member of the Committee to take over the vacant Executive post.

19.8 The Executive Committee & Trustees must manage the finances prudently and give priority to paying off or lowering the outstanding loans and mortgages of the Organisation.

19.9 A Committee Member must be a member of the Organisation or the nominated representative of an Organisation that is a member of the Organisation.

19.10 No one may be appointed a Committee Member if he or she would be disqualified from acting under the provisions set out in this Constitution.

19.11 The number of Committee Members shall be not less than three but

(unless otherwise determined by a resolution of the Organisation in general meeting) shall not be subject to any maximum.

- 19.12 All Committee Members, including the Executive Committee and Trustees must be regular participants of the Organisation's Programmes and must be practicing Shia Ithna-Asheri Ahlul Bayt Muslim.

20 Responsibilities and duties of the Executive Committee

- 20.1 The President shall ensure all religious matters conform to the Shia Ithna-Asheri Ahlul Bayt Sharia law with advice of the resident Aalim.

20.1.1 To uphold the Constitution, promote the objectives of the Organisation and chair the meetings;

20.1.2 Keep in close liaison with all the office bearers in order to make and implement the decisions of the Executive Committee;

20.1.3 The president shall direct the secretary general to convene general executive meetings.

- 20.2 In the absence of the president the vice president shall act as the President otherwise continue with any other duties bestowed on him by the President or the Executive Committee.

- 20.3 The secretary general shall keep all records of the Organisation and deal with all the correspondence and record the minutes of all the general and executive meetings:

20.3.1 arrange all religious functions in liaison with the resident Aalim, maintain and up date the register of members, Administer all the affairs of the Organisation & delegate or set up sub committees from the Committee Members to carry out the work of the Organisation.

- 20.4 In the absence of the Secretary General, the power of the Secretary General will be vested in the Vice Secretary & the Vice Secretary shall support the Secretary General in all the administration affairs of the Organisation.

- 20.5 The treasurer shall be responsible for all financial the transactions of the Organisation and maintain and submit all records of financial transactions.

- 20.5.1 maintain the bank account of the Organisation & maintain the collection books, keep receipts and maintain proper books of accounts.[subject to clause 25]
- 20.6 In the absence of the treasurer the Vice Treasurer shall take over responsibility and:
 - 20.6.1 the Vice Treasurer shall maintain the register of paying members, organize and collect membership fees, donations and khums;
 - 20.6.2 the Vice Treasurer shall set up a team of Committee Members dedicated to raising and collecting funds.
- 20.7 The Stage Secretary shall make announcements endorsed by the Executive Committee on behalf of the Organisation.

21 Delegations

- 21.1 The Committee may delegate any of their powers or functions to a sub committee of one or more Committee Members but the terms of any such delegation must be recorded in the minute book.
- 21.2 The Committee may impose conditions when delegating, including the conditions that:
 - 21.2.1 the relevant powers are to be exercised exclusively by the sub committee to whom they delegate;
 - 21.2.2 no expenditure may be incurred on behalf of the Organisation except in accordance with a budget previously agreed with the Committee.
 - 21.2.3 the Committee may revoke or alter a delegation.
 - 21.2.4 all acts and proceedings of any Sub Committees must be fully and promptly reported to the Executive Committee.

22 The Appointment of Committee Members

- 22.1 The Organisation in the annual general meeting shall elect the Executive Members and the other Committee Members after term of 3 years.
- 22.2 The Executive Committee may appoint any member who is willing to act as a Committee member.
- 22.3 Each of the Committee shall retire with effect from the conclusion of

the annual general meeting next after a term of 3 years of his or her appointment but shall be eligible for re-election at that annual general meeting if.

- 22.4 No-one may be elected a Committee Member or an Executive Member at any annual general meeting unless prior to the meeting the Organisation is given a notice that:
- 22.4.1 is signed by a member entitled to vote at the meeting;
 - 22.4.2 states the member's intention to propose the appointment of a person as a Committee Member;
 - 22.4.3 is signed by the person who is to be proposed to show his or her willingness to be appointed.
- 22.5 The appointment of a Committee Member, whether by the Organisation in general meeting or by the other Committee Members, must not cause the number of Committee Members to exceed any number fixed in accordance with this Constitution as the maximum number of Committee Members:
- 22.5.1 the Committee may not appoint a person to be an Executive Member if a person has already been elected or appointed to that office and has vacated the office without a valid reason.
- 22.6 A member shall be appointed a Committee Member by a majority vote when two or more members are nominated for the same post.
- 23 Disqualification and Removal of Committee Members.**
- 23.1 A Committee Member shall cease to hold office if he or she:
- 23.1.1 is disqualified from acting as a Committee Member by virtue of being adjudged bankrupt;
 - 23.1.2 ceases to be a member of the Organisation;
 - 23.1.3 becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
 - 23.1.4 resigns as an Executive Member on more than 1 occasion;
 - 23.1.5 is absent without the permission of the Committee from all their meetings held within a period of six consecutive months and the Committee resolve that his or her office be vacated;

- 23.1.6 ceases to be a Shia Ithna-Asheri Muslim;
- 23.1.7 has been convicted at any time of any offence involving deception or dishonesty, unless the conviction is legally regarded as spent;
- 23.1.7 or any action which will bring disrepute or friction to the Organisation;
- 23.1.8 is disqualified from being company director.

24 Proceedings of the Committee

- 24.1 The Committee may regulate their proceedings as they think fit, subject to the provisions of this constitution.
- 24.2 Any Committee Member may call a meeting of the Committee.
- 24.3 The secretary must call a meeting of the Committee if requested to do so by a Committee Member.
- 24.4 Questions arising at a meeting must be decided by a majority of votes.
- 24.5 In the case of an equality of votes, the person who chairs the meeting shall have the casting vote.
- 24.6 No decision may be made by a meeting of the Committee unless a quorum is present at the time the decision is purported to be made.
- 24.7 The quorum shall be two or the number nearest to one third of the total number of Executive Members.
- 24.8 A Committee Member shall not be counted in the quorum present when any decision is made about a matter upon which that Committee Member is not entitled to vote, i.e. if they have a conflict of interest.
- 24.9 If the number of Committee Members is less than the number fixed as the quorum, the continuing Committee Members may act only for the purpose of filling vacancies or of calling a general meeting.
- 24.10 The person elected as the President shall chair meetings of the Committee.
- 24.11 If the President is unwilling to preside or is not present within ten minutes after the time appointed for the meeting, the Committee may appoint one of their number to Chair that meeting.
- 24.12 The person appointed to chair meetings of the Committee shall have no functions or powers except those conferred by this constitution or delegated to him or her in writing by the Committee.
- 24.13 The resolution in writing signed by all the Committee Members entitled to receive notice of a meeting of Committee Members and to vote upon the resolution shall be as valid and effectual as if it had been passed at a meeting of the Committee Members duly convened and held.
- 24.14 The resolution in writing may comprise several documents containing the text of the resolution in like form each signed by one or more Committee Members.

25 Irregularities in Proceedings

- 25.1 All acts done by a meeting of Committee, or of a Member of Committee, shall be valid notwithstanding the participation in any vote of a Committee Member:
- 25.1.1 who was disqualified from holding office;
 - 25.1.2 who had previously retired or who had been obliged by the constitution to vacate office;
 - 25.1.3 who was not entitled to vote on the matter, whether by reason of a conflict of interest.
- 25.3 No resolution or act of the Committee or any Sub Committee of the Committee or the Organisation in a general meeting shall be invalidated by reason of the failure to give notice to any Committee Member or by reason of any procedural defect in the meeting unless it is shown that the failure or defect has materially prejudiced a member or the beneficiaries of the Organisation.
- 25.4 The Committee must keep minutes approved by the Executive Committee of all appointments of Officers and Sub Committee made by the Committee, proceedings at meetings of the Organisation, meetings of the Committee and sub committees of Committee including the names of the Committee present at the meeting, the decisions made at the meetings and where appropriate the reasons for the decisions.

26 Annual Report and Return and Accounts

- 26.1 The Committee must comply with their obligations under the Charities Act 1993 with regard to:
- 26.1.1 the keeping of accounting records for the Organisation;
 - 26.1.2 the preparation of annual statements of account for the Organisation;
 - 26.1.3 the transmission of the statements of account to the Organisation;
 - 26.1.4 the preparation of an annual report and its transmission to the Commission;
 - 26.1.5 the preparation of an annual return and its transmission to the Commission.
- 26.2 Accounts must be prepared in accordance with the provisions of any Statement of Recommended Practice issued by the

Commission and ratified by the trustees.

27 Registered Particulars

27.1 The Committee must notify the Commission promptly of any changes to the Organisation 's entry on the Central Register of Charities.

28 Property

28.1 The Committee must ensure the title to:

28.1.1 all land and property held by the Organisation is vested in the holding trustees;

28.1.2 all investments held by or on behalf of the Organisation, are vested in at least three holding trustees.

28.2 The terms of the appointment of any holding trustees must provide that they may act only in accordance with lawful directions of the Committee and that if they do so they will not be liable for the acts and defaults of the Committee or of the members of the Organisation.

29 Notices

29.1 Any notice required by this constitution to be given to or by any person must be in writing or given using electronic communications.

29.1.1 notice may be given to a member either personally; or by sending it by post in a prepaid envelope addressed to the member at his or her address or by leaving it at the address of the member or by giving it using electronic communications to the member's address.

29.2 A member who does not register an address with the Organisation or who registered only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Organisation.

29.3 A member present in person at any meeting of the Organisation shall be deemed to have received notice of the meeting and of the purposes for which it was called.

29.4.1 Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.

29.4.2 Proof that a notice contained in an electronic communication was

properly addressed and sent shall be conclusive evidence that the notice was given.

29.4.3 A notice shall be deemed to be given 48 hours after the envelope containing it was posted or, in the case of an electronic communication, 48 hours after it was sent.

30 Rules

30.1 The Committee may from time to time make rules or bye-laws for the conduct of their business.

30.2 The bye-laws may regulate the following matters but are not restricted to them:

- 30.2.1 the admission of members of the Organisation (including the admission of Organisation's to membership) and the rights and privileges of such members, and the donations, membership fees and other fees or payments to be made by members;
- 30.2.2 the conduct of members of the Organisation in relation to one another, and to the Organisation 's employees and volunteers;
- 30.2.3 the setting aside of the whole or any part or parts of the Organisation 's premises at any particular time or times or for purpose of the Organisation's objects;
- 30.2.4 the procedure at general meetings and meetings of the Committee in so far as such procedure is not regulated by this constitution;
- 30.2.5 the keeping and authenticating of records. (If regulations made under this clause permit records of the Organisation to be kept in electronic form and require a Committee Member to sign the record, the regulations must specify a method of recording the signature that enables it to be properly authenticated);
- 30.2.6 generally, all such matters as are commonly the subject matter of the rules of an unincorporated association.

30.3 the Committee must adopt such means as they think sufficient to bring the rules and bye-laws to the notice of members of the Organisation as long as these rules do not contravene this Constitution.

30.4 The rules or bye-laws shall be binding on all members of the Organisation. No rule or bye-law shall be inconsistent with, or shall affect or repeal anything contained in, this constitution.

31 Contravention of the Constitution

- 31.1 If at any time it shall come to the knowledge or information of the Secretary General that any member has contravened any provision of the Constitution or rules made there under or any directive or decision of the AGM or the Executive Committee he or she shall immediately make necessary investigation and if he is satisfied that there exists sufficient evidence of such contravention he shall report it to the Executive Committee and give notice thereof to the member concerned.
- 31.2 Not less than 14 days after notification of the charges to the Executive Committee and to the member concerned the Secretary General shall convene a special meeting of the Executive Committee to consider the charges and give due notice of such meeting to the member concerned and inform such member of its right to attend such meeting of the Executive Committee and answer the allegations in support of his or her defence or make written representations in this behalf or both.
- 31.3 The Executive Committee shall be convened on the date fixed by the Secretary General and shall hear the charges as specified by the Secretary General and make its determination thereon. The quorum for such a meeting of the Executive Committee shall not be less than 75 percent of the members of the Executive Committee and its decision shall require the support of two thirds of the members present at the meeting.
- 31.4 At the conclusion of its determination the Executive Committee may reject the charges or reprimand or suspend the member for such period of time as it may consider appropriate and in the event of such member committing a second or subsequent contravention the Executive Committee may subject to the compliance of the procedure herein before referred to, in respect of such subsequent contravention exclude it from membership of the Organisation.
- 31.5 If aggrieved by the decision of the Executive Committee the member may within 60 days of being notified of the decision of the Executive Committee appeal to the AGM against the decision but such appeal shall be heard and determined by the AGM at its next sitting to be held in the normal course of events. The decision of the AGM shall be final and binding.

32 Transitional Provisions

- 32.1 All amendments to the existing Constitution are approved subject to the approval of the Charity Commissioners.
- 32.2 This Constitution is amended on 26th November 2005 and all provisions thereof shall come into effect with immediate effect.

Approved by the Members, Executive Committee & Trustees Of Masjid-e-Ali (a.s) Shia Ithna-Asheri Ahlul Bayt Muslim Community of Luton

Submitted By

Syed Muzammal Abbas
President of Musjid-E-Ali (A.S)