



*IN THE NAME OF ALLAH, THE MOST GRACIOUS,
MOST MERCIFUL*

THE EPSOM AND EWELL ISLAMIC SOCIETY

CONSTITUTION



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Adopted on the 12th day of January 2001 and amended on the 17th of March 2001

1 Name

The name of the Society shall be The *Epsom and Ewell Islamic Society* hereinafter referred to as the Society

2 Administration

Subject to the matters set out below the Society shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by clause 10 of this constitution

3 Office

The Office shall be in the U.K. All communications shall be directed to the General Secretary at his address

4 The language

English shall be the official medium of communication of the Society

5 Objects (Aims and Objectives)

The Society objects ("the objects") are:

- (a) To advance religion in accordance with tenets and doctrines of Islam
- (b) To provide and assist in the provision of education in the field of Islamic culture, history and practice.
- (c) To foster goodwill and harmonious relations with other ethnic groups

6 Powers

In furtherance of the Objects but not otherwise the Executive Committee may exercise the following powers:

- (a) **Power** subject to any consent required by law to raise funds and to invite and receive contributions.
- (b) **Power** to buy, take or lease or in exchange any property necessary for the achievement of the Objects and to maintain and equip it for use;
- (c) **Power** subject to any consent required by law to sell, lease or dispose of all or any part of any property of the Society;
- (d) **Power** subject to any consent required by law to borrow money and to charge all or any part of the property of the Society with repayment of the money so borrowed;
- (e) **Power** to employ such staff (who shall not be members of the Executive Committee) as are necessary for the proper pursuit of the Objects;

- (f) **Power** to co-operate with other charities, voluntary bodies operating in furtherance of the Objects or of similar charitable purposes and to exchange information and advice with them;
- (g) **Power** to establish or support any charitable trusts, associations or institutions formed for all or any of the Objects;
- (h) **Power** to appoint and constitute such advisory committees the Executive Committee may think fit;
- (i) **Power** to do all such lawful things as are necessary for the achievement of the Objects.

7 Qualifications for membership

- (a) He/She must be a Sunni Muslim over the age of 18 years.
- (b) He/ She must be fully committed to the Objects of the Society

8 Classes of membership

There will be **three** categories of membership:-

(a) Ordinary members

Open to residents within an **area of benefit** (see appendix 1 page 9), who have paid in advance the annual subscription laid down from time to time by the Executive Committee

Each member shall be entitled to one vote.

(b) Associate members

Any person sympathetic to furthering the Objects of the Society may be appointed at the discretion of the Executive Committee. Such member shall not be entitled to vote or hold office. Any person who lives outside the area of benefit can become an associate member.

(c) Honorary members

Such members may be approved by the Executive Committee as a token of appreciation of their distinguished services to the Society or the Muslim Community. Any member other than an associate member may recommend a nomination for an Honorary Member. Such member shall not be entitled to vote or hold office.

(d) Suspension and termination of membership

Any member whose subscription is three months in arrears shall lose rights of membership (suspended) but may be reinstated on payment in full of the said subscription within a reasonable time but not later than six months. Any member whose subscription is over six months in arrears shall lose all previous rights, but may re-apply for membership.

If at any given time, the Executive Committee is of the opinion that the interests of the Society so require, the Executive Committee may, by unanimous vote and for **good reasons** (see appendix 2), terminate the membership of any individual provided that the individual concerned shall have the right to be heard by the Executive Committee; and may be accompanied by a friend, before a final decision is made. If the individual concerned is not satisfied with the outcome of the special hearing, he/she may appeal, within fourteen days, to an independent Disciplinary and Grievance Sub- Committee whose decision will be binding on all parties.

9 Membership Subscriptions

Every member shall pay a subscription laid down from time to time by the Executive Committee. It shall be payable either by standing order or a whole year subscription in advance if paid by cheque or cash.

10 Management and Organisation

The management of the Society and proposed Islamic Centre/Mosque shall in future be rested solely in the Executive Committee, who should have the power to regulate its own proceedings and dealings in order to fulfill the Objects of the Society .The Executive Committee shall be made up of 7 elected members and up to 2 co-opted members.

11 Honorary Office

(a) Terms of Office

Members of the Executive Committee will be elected at the annual general meeting for a period of two years and shall retire at the conclusion of the second year. However they shall remain eligible for re-election. A minimum qualifying period of one year's membership is required for nomination to the Executive Committee.

(b) Duties of the Executive Committee

- 1 To co-op 2 members
- 2 To make regulations and issue guidelines and instructions for the proper working of the Society and the proposed Centre and for the maintenance and administration of the Mosque, library and other properties and its publications
3. To appoint sub-committees and standing committees as and when necessary
- 4 To represent any matter when the interests of the society are affected.
- 5 To consider and approve applications for membership, resignations or expulsion of members
- 6 To appoint or remove officers paid or unpaid including the Imam.
- 7 To consider all matters and make the necessary recommendations before these are discussed at the Annual General Meeting
- 8 To hold meetings regularly with a minimum of four per year

9 In the absence of both the Chairman and the Vice Chairman, the General Secretary will chair the meetings

No meeting of the Executive Committee shall be held without the prior knowledge or approval of the Chairman.

Additional meetings of the Executive Committee i.e. other than as prescribed above can be called by the General Secretary in consultation with the Chairman and shall be called by him if requested by the Chairman or Vice Chairman with any 3 members of the Executive Committee, giving notice to this effect. All members of the Executive Committee shall have advance notice in writing.

Any member absent from three consecutive meetings of the committee without giving prior notice and unable to give reasonable grounds for their absence can be discharged by the Chairman on the advice of a majority decision of the Executive Committee.

12 Offices

The Executive Committee will appoint the following offices:

- a. Chairman
- b. Vice-Chairman
- c. General Secretary
- d. Assistant Secretary
- e. Treasurer
- f. Assistant Treasurer

At the A.G.M all members will be required to elect 7 members to sit on the Executive Committee. At the conclusion of the A.G.M the newly elected members will hold a brief meeting to appoint the Chairman, General Secretary and Treasurer and their deputies. All posts and offices held by the Executive Committee Members are honorary.

13 Vacancies and Resignations

A casual vacancy in the Executive Committee, arising during the course of two Annual General Meeting's (A.G.M's), may be filled by a majority vote of the Executive Committee itself and any person so appointed shall continue as a member of the Executive Committee until the expiry of the term of the Committee. If any two or more Office Bearers resign, the remaining members of the Committee shall convene a Special General Meeting within four weeks of the dates of such vacancies.

14 Sub-Committees

The Executive Committee shall appoint such sub-committees and their respective Chairpersons as appears to be appropriate. The proceedings shall be subject to approval by the Executive Committee and all acts and proceedings shall be reported back fully and promptly to the Executive Committee.

15 Duties of the Chairman

- a He shall chair the meetings of the General Assembly at the A.G.M, the Executive Committee and other meetings .
- b He shall regulate the proceedings of the meetings and interpret rules and regulations of the Society
- c He shall, in addition to his ordinary vote, have a casting vote when necessary.
- d To reprimand, discipline and discharge from office any member of the Executive Committee whose conduct and/or actions are non-conducive or damaging to the affairs of the Society, provided that such member shall have the right to be heard, subject and conditional to a majority decision of the Executive Committee indicating this action.
- e All cheques shall be signed by the Chairman or Secretary with the Treasurer and in the absence of the Chairman or Secretary by a nominated member of the Executive Committee

16 Duties of the Vice-Chairman

The Vice- Chairman shall take up the functions of the Chairman in his absence

17 Duties of the General Secretary

- a He shall be in charge of the Office
- b He shall conduct all correspondence
- c He shall organise, arrange, and convene meetings, conferences and lectures
- d He shall attend and keep proceedings of all Executive Committee meetings
- e He shall maintain a correct and up-to-date Register of Membership
- f He shall bring any matter, which he shall consider necessary, in the interests of the Society to the notice of the Officers and the Executive Committee for guidance and instructions

18 Duties of the Assistant Secretary

He shall help the General Secretary in fulfilling his duties.

19 Duties of the Treasurer

- a He shall receive all monies and deposit these in designated bank accounts as appropriate
- b He shall be responsible for the collection of all subscriptions and contributions to the Society
- c He shall dispose of bills for payments as sanctioned by the Officers
- d He shall be responsible for keeping up-to-date accounts
- e He shall submit Annual Statements of Accounts duly approved by the Executive Committee
- f He shall signs cheques jointly with the Chairman or General Secretary

20 Duties of the Assistant Treasurer

He shall help the Treasurer in fulfilling his duties

21 Financial Year

The Society financial year shall run from October to September to coincide with the yearly Account required by the Charity Commission

22 Funds of the Society

(a) The funds shall consists of donations collected for various purposes, any fees, gifts, loans, and funds raised and all other monies received from any source and such other income as the Society may derive.

(b) The Society's funds and all monies will be deposited in designated bank accounts in the name of the Society only. All bank correspondence such as statements etc. shall be directed to the Treasurer

(c) The income, properties, and all assets of the society shall be under the direction of the Executive Committee, solely towards the promotion of the Objects of the Society and to manage, improve and maintain all and any part of the land and property that the Society may hold in the future or carry out any new work as approved by the Executive Committee.

The quorum at the Annual General Meeting or a Special General Meeting shall consists of 15% of the Society's members; except for motions proposing any repeal, addition and amendment to the Constitution when the quorum will be 30% of members.

For the purpose of the Executive Committee the quorum shall be 4 members.

Any meeting called after postponement due to lack of quorum can execute any business whether enough members are present to constitute a quorum or not, the members having previously been served at least seven days notice of the meeting.

23 Annual General Meeting

(a) The A.G.M of the Society shall be held every year before the end of November as decided by the Executive Committee.

(b) Written notice of the A.G.M and the business to be transacted thereat shall not be less than 21 days and given to all members and shall be posted in various premises occupied by the Society including notice boards.

(c) The A.G.M shall receive and consider the Statements of Accounts, balance sheet of the preceding financial year, income and expenditure for the current financial year and any such reports including annual report of progress, work done by or under the auspices of Society presented by the General Secretary on behalf of the Executive Committee.

(d) Any member desirous of moving a resolution at the AGM and likewise for all motions for the AGM, the member shall give written notice to the General Secretary not less than two weeks in writing before the date of the AGM

(e) The AGM will be presided by the Chairman and in his absence by the Vice Chairman

(f) Every member present shall be entitled to take part in full proceedings of the AGM but only ordinary members shall be entitled to vote and when necessary the Chairman shall have a casting vote.

(g) The vote at the AGM or any other General Meetings shall be by a show of hands except if the Executive Committee decides to hold a secret ballot.

24 Trustees

The title of all and any property/properties which may be acquired by or for the purpose of the Society shall be vested in the Trustees who shall enter into a Deed of Trust setting forth the purposes under which they hold such property/properties in trust for the Society, the form of which shall be agreed by the Executive Committee or direct by resolution (of which an entry in the minutes shall be conclusive evidence).

A Board of Trustees of no less than four and no more than six members will be elected by the ordinary membership at the A G M

Appointments of Trustees will only be open to ordinary members.

The Trustees shall be indemnified by the Society against losses or expenses arising from their position as such.

Trustees can be removed from office by loss of membership.

A Trustee may, if he so desires, request that he be released from his position.

Whereby reason of death, resignation or removal, it shall appear necessary to the Executive Committee that a new trustee or trustees shall be appointed (or if the Executive Committee shall deemed it expedient to appoint an additional Trustee or Trustees) the Executive Committee shall by resolution nominate the person or persons to be appointed Trustee or Trustees.

For the purpose of giving effect to such nomination, the Chairman is hereby nominated as the person to appoint new Trustees of the Society within the meaning of Section 36 of the Trustees Act 1925 and he shall by deed duly appoint the person or persons so nominated by the Executive committee as the new trustee or Trustees of the Society and the provisions of the Trustees Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall be in favour of a person dealing bona fide and for value with the Society is conclusive evidence of the fact so stated.

In the execution of the trusts hereof, no trustee or member of the Executive Committee shall be liable for any loss to the property of the Society arising by reason of any improper investment made in good faith (so long as he shall have sought professional advice before making such investment) or for the negligence or fraud of any agent employed by him or by any other trustee or member of the Executive Committee hereof in good faith (provided reasonable supervision shall have been exercised) although the employment of such an agent was strictly not necessary or by reason of any mistake or omission made in good faith by any trustee or member of the Executive Committee hereof or by reason of any matter or thing other than willful and individual fraud, wrong doing or wrongful omission on the part of the Trustee or member of the Executive Committee who is sought to be liable.

No remuneration shall be paid to members appointed to act as Trustees.

26 Amendments to the Constitution

Alterations, additions and amendments may be made to the provisions of this Constitution by a resolution (hereafter called an "Amending Resolution") passed by a majority consisting of not less than 2/3 rd of the members present and voting at a General meeting for which the quorum shall be 30% of the Society's membership.

Such a resolution shall not be valid unless:

- (a) It has been proposed and seconded by a member of the Society
- (b) Notice of the intention of the proposer and the seconder to move the same, have been given to the Executive Committee not less than 14 days before the meeting at which it is proposed to move the same.
- © Notice of the said resolution has been given in writing to all members by the Executive Committee not less than 7 days before the meeting at which it is proposed to move.

No amending resolution, the effect of which is to make any variation or alteration whatsoever in the Objects of the Society as set out in paragraph 5 and paragraph 27 shall be readily passed unless it has received the prior approval of the Court, or Charity Commissioners or any other authority having charitable jurisdiction.

No alteration shall be made which would have the effect of causing the Society to cease to be a Charity at law.

The English language of the Constitution is to be legally valid.

This Constitution (amended) is made on the 17th of March 2001 and passed by a majority decision of the General Meeting on this date and supersedes and replaces any previous Constitution of the *Epsom and Ewell Islamic Society*.

27 Dissolution

The Society may be dissolved at any time by a resolution passed by a majority consisting of no less than 2/3 rd of the members present and voting at a General meeting for which the Quorum shall be no less than 30% of the membership.

This resolution shall not be valid unless:

- (a) It has been proposed and seconded by a member of the Society
- (b) Notice of the intention of the proposer and the seconder to move the same, have been given to the Executive Committee not less than 14 days before the meeting at which it is proposed to move the same

(c) Notice of the said resolution has been given in writing to all members by the Executive Committee not less than 7 days before the meeting at which it is proposed to move.

Such a resolution may also include instructions for the disposal of any assets held by or in the name of the Society provided that if any property or assets remain after the satisfaction of all debts and liabilities, such assets and property/properties shall be given or transferred to some other charitable institution/institutions, having the same or similar Objects to that of the Society.

Appendix 1

Area of benefit

For the purpose of this constitution an area of benefit is defined as meeting one or more of the criteria set out below

- (a) Residents of the Borough of Epsom and Ewell
- (b) If non resident, they must be attending regular prayers and participate in various functions organised by the Society and their children must be attending classes in Islamic instructions when appropriate

Appendix 2

- Good reasons are**
- (a) Bringing the Society into disrepute
 - (b) involvement in financial irregularities and criminal activities
 - (c) Abuses and personal gains in the name of the Society
 - (d) Any action which is in contradiction with the Objects of the Society