

THE CONSTITUTION of

KSI MUSLIM COMMUNITY of MILTON KEYNES

Adopted on the 25th Day of October 2003

(Updated version 28 February 2016)

A. Name

The name of the Association is “The Khoja Shia Ithna-asheri Muslim Community of Milton Keynes”, also known as “The KSI Muslim Community of Milton Keynes” (“the Charity”).

B. Administration

Subject to matters set out below the Charity and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by clause **G** of this constitution (“the Executive Committee”).

C. Objects

The charity’s objects (“the objects”) are the propagation and promotion of the spiritual, educational and humanitarian teachings of the Shia Ithna-asheri Muslim Faith.

D. Powers

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

1. Power to establish and maintain mosques and similar places of worship for the members of the Charity;
2. Power to establish and maintain religious, educational and welfare institutions;
3. Power to render assistance and facilities for the performance of religious rites on the occasions of marriage and death;
4. Power to maintain cemeteries and provide facilities for burials;
5. Power to raise funds and to invite and receive contributions provided that in raising funds the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;
6. Power 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;
7. Power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Charity
8. Power subject to any consents required by law to receive interest free loans, to borrow money and to charge all or any part of the property of the Charity with repayment of the money so borrowed: provided there is a mandate obtained from two-thirds of the membership of the charity;
9. Power to employ such staff (who shall not be members of the Executive Committee) as are necessary for the proper pursuit of the objects;
10. Power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advise with them;
11. Power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects;

12. Power to appoint and constitute such advisory committees as the Executive Committee may think fit;
13. Power to do all such other lawful things as are necessary for the achievement of the objects

E. Membership

1. Membership of the Charity shall be open to any Shia Ithna-asheri person over the age of 18 years interested in furthering the objects and who has paid the annual subscription laid down from time to time by the members of the Charity.
2. The Executive Committee may by majority vote approve the application of an eligible individual and shall not be obliged to give reasons for rejecting any application.
3. Every member shall have one vote
4. The Executive Committee may by majority vote and for good reason terminate the membership of any individual: Provided that the individual concerned shall have the right to be heard by the Executive Committee, accompanied by another member, before a final decision is made.

F. Honorary Officers

At every second annual general meeting of the Charity the members shall elect from amongst themselves a president, a secretary, a treasurer and an officiator who shall hold office from the conclusion of that meeting.

G. Executive Committee

1. The Executive Committee shall consist of not less than 5 members nor more than 7 members being:
 - a) The honorary officers specified in clause **F**
 - b) Not less than one and not more than three members elected at the annual general meeting who shall hold office from the conclusion of that meeting.
2. The Executive Committee may in addition appoint not more than 2 co-opted members, so that no-one may be appointed as a co-opted member, if, as a result, more than one third of the members of the Executive Committee would be co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive Committee called under clause **J** and shall take effect from the end of that meeting unless such appointment is to fill a place which has not been vacated and in which case the appointment shall run from the date when the post becomes vacant.
3. All the members of the Executive Committee shall retire from office together at the end of the second annual general meeting after the date on which they came into office, but they may be re-elected or re-appointed.
4. The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.

5. No person shall be appointed as a member of the Executive Committee who is aged under 18, and in case of the President, aged under 25, or who will if appointed be disqualified under the provisions of the following clause.
6. No person shall be entitled to act as a member of the Executive Committee whether on a first or on any subsequent entry into office until after signing in the minute book of the Executive Committee a declaration of acceptance and willingness to act in the trusts of the Charity.

H. Determination of Membership of Executive Committee

A member of the Executive Committee shall cease to hold office if the individual:

1. is disqualified from acting as a member of the Executive Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);
2. becomes incapable by reason of mental disorder, illness or injury of managing and administering own affairs;
3. is absent without permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that member's office be vacated; or
4. Notifies to the Executive Committee a wish to resign (but only if at least three members of the Executive Committee will remain in office when the notice of resignation is to take effect).

I. Executive Committee Members not to be personally interested

No member of the Executive Committee 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) in any contract entered into by the Executive Committee.

J. Meetings and proceedings of the Executive Committee

1. The Executive Committee shall hold at least four ordinary meetings each year. A special meeting may be called at any time by the President or by any two members of the Executive Committee upon not less than 4 days' notice being given to the other members of the Executive Committee of the matters to be discussed but if the matters include an appointment of a co-opted member then not less than 21 days' notice shall be given.
2. The President shall act as chairman at meetings of the Executive Committee. If the President is absent from any meeting, the members of the Executive Committee present shall choose one of their number to be chairman of the meeting before any other business is transacted.
3. There shall be a quorum when at least three members of the Executive Committee are present at the meeting.
4. Every matter shall be determined by a majority of votes of votes of the members of the Executive Committee present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.

5. The Executive Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Executive Committee and any sub-committee.
6. The Executive Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.
7. The Executive Committee may appoint one or more sub-committees consisting of three or more members of the Charity, including the President or the Secretary being ex-officio chairman, for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Executive Committee would be more conveniently undertaken or carried out by a sub-committee: provided that all acts, proceedings and minutes of meetings of any such sub-committees shall be fully and promptly reported to the Executive Committee.

K. Receipts and Expenditure

1. The funds of the Charity, including all donations, contributions and bequests, shall be paid into an account operated by the Executive Committee in the name of the Charity at such banks as the Executive Committee shall from time to time decide.
2. All cheques drawn on the account must be signed by the Treasurer and either the President or the Secretary.
3. The funds belonging to the Charity shall be applied only in furthering the objects.

L. Property

1. Subject to the provisions of the following sub-clause, the Executive Committee shall cause the title to:
 - a) all land held by or in trust for the Charity; and
 - b) all investments held by or on behalf of the Charity;to be vested in not less than three individuals appointed by them as holding trustees. Holding trustees may be removed by the Executive Committee at their pleasure and shall act in accordance with the lawful directions of the Executive Committee. Provided they act only in accordance with the lawful directions of the Executive Committee, the holding trustees shall not be liable for the acts and defaults of its members.
2. The Executive Committee may permit any investments held by or in trust for the Charity to be held in the name of a clearing bank, trust corporation or any stock broking company which is a member of the International Stock Exchange (or any subsidiary of any such stock broking company) a nominee for the Executive Committee, and may pay such a nominee a reasonable and proper remuneration for acting as such.

M. Accounts

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of the Act) with regard to:

1. the keeping of accounting records for the Charity;

2. the preparation of annual statements of account for the Charity
3. the auditing or independent examination of the statements of account of the Charity;
and
4. the transmission of the statements of account of the Charity to the Charity Commission

N. Annual Report

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

O. Annual Return

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

P. Annual General Meeting

1. There shall be an annual general meeting of the Charity, which shall be held within three months from 1st January in each year.
2. Every annual general meeting shall be called by the Executive Committee. The Secretary shall give at least 21 days' notice of the annual general meeting to all the members of the Charity. All the members of the Charity shall be entitled to attend and vote at the meeting.
3. The Executive Committee shall present to each annual general meeting, for adoption, the minutes of the previous general meetings, report and accounts of the Charity for the preceding year and the budget for the ensuing year.
4. Members of the Charity shall appoint a suitably qualified Auditor or an Independent Examiner at the annual general meeting.
5. Election of the Executive Committee shall take place at every second annual general meeting. Should nominations exceed vacancies, election shall be by secret ballot.

Q. Special General Meetings

1. The Executive Committee may call a special general meeting of the Charity at any time by giving at least 3 days' notice and stating the business to be discussed.
2. On matters of great urgency, the Executive Committee may call a special general meeting by giving 24 hours' notice.
3. If at least 30% of the members request a special general meeting in writing stating the business to be considered, the Secretary shall call such a meeting within six weeks from

the date of such request by giving at least 21 days' notice and stating the business to be discussed.

R. Procedure at General Meetings

1. The Secretary or other person specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting
2. There shall be a quorum when at least 15% of the members of the Charity are present at any general meeting

S. Notices

Any notice 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 or any member either personally or by sending it through the post in a prepaid letter addressed to such member at the last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 3 days of posting.

T. By-laws

The Executive Committee may, within the bounds of this constitution, formulate byelaws, as it may deem necessary, for the regulation of the affairs of the Charity and the conduct of the members. All such byelaws shall be submitted at the general meeting for ratification. If ratified, such byelaws shall remain in force and shall be binding upon members until revoked at a general meeting.

U. Alterations to the Constitution

1. Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of general meeting must include notice of the resolution, setting out the terms of the alteration proposed.
2. No amendment may be made to clause **A** (the name of the Charity clause), clause **C** (the objects clause), clause **I** (Executive Committee members not to be personally interested clause), clause **V** (the dissolution clause) or this clause without the prior consent in writing of the Commissioners.
3. No amendment may be made which would have the effect of making the Charity cease to be a charity at law.
4. The Executive Committee should promptly send to the Commission a copy of any amendment made under this clause.

V. Dissolution

If the Executive Committee 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 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 institution or institutions having objects similar to the objects of the Charity as the members 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 must be sent to the Commission.

W. Arrangements until first Annual General Meeting

Until the first annual general meeting takes place this constitution shall take effect as if reference in it to the Executive Committee were references to the persons whose signatures appear at the bottom of this document.

This constitution was adopted on the date mentioned above by the persons whose signatures appear at the bottom of this document.

Signed by:

Mustafa R Dhanji	President
Dr Mohamed Dewji	Hon. Secretary
Mehboob Ladak	Hon. Treasurer
Jaffar Ravjani	Officiator
Saajid Dhanji	E/C Member
Mushtaqali Dhanji	E/C Member
Abbas Jaffer	E/C Member