

CONSTITUTION OF MILLAT.E.JAFFARIYA

1. NAME:

The name shall be Millat-e-Jaffariya (here in after referred to as "The Millet").

2. REGISTERED OFFICE:

The registered office of the Millat shall be _____ or such other
place _____ as may be designated by the Managing Committee

3. AIMS AND OBJECTS:

- (a) The objects of the Millat shall be to promote and advance by such means as are according to the law of England exclusively charitable the religion of Islam in accordance with the principles of the Shia Ithnaasheri Shariai and to provide for the relief of poverty among Muslims of the Shia Ithnaasheri faith.
- (b) In furtherance of the foregoing objects but not further or otherwise the Millat through its Managing Committee shall have power:-
 - (1) To encourage the practice of the Islam as taught by Shia Ithnaasheri Sharia.
 - (2) To spread knowledge of Islam as taught by Shia Ithnaasheri Sharia with a view to gaining adherents.
 - (3) To establish and maintain mosques imambara and other places of worship.
 - (4) To hold and arrange Muslim religious services and ceremonies.
 - (5) To provide religious education in the principles of the Islamic faith as taught by the Shia Ithnaasheri Sharia.
 - (6) To establish take over maintain endow or otherwise assist in the formation of religious or educational establishments where Islam is taught in accordance with the principles of the Shia Ithanaasheri Sharia so long as the objects of such establishments are exclusively charitable.
 - (7) To receive donations wether or not impressed with any special trust (provided such trust is exclusively charitable) to be held and applied for the promotion of the object of the millat.
 - (8) To issue appeals for donations.
 - (9) To do all such lawful acts as shall further the attainment of the objects of the millat.

- (c) (i) Notwithstanding Clause 12 of this constitution or any other clause or provision of this constitution as it presently stands or it may stand from time to time amended no amendment shall be made to this clause (including this part thereof) being clauses (a) , (b) and (c) and no other amendment shall be made so as to cause the millat to cease the charitable in law.
- (ii) In the event of the dissolution of the millat the property belonging thereto shall be transferred to such other organisation or organisations as the members at the time of dissolution shall resolve being an organisation or organisations whose objects (a) are similar or reasonably similar to the objects of the millats and (b) are exclusively charitable and subject thereto shall be held upon trust for the promotion and advancement primarily of the Muslim faith in accordance with the principles of the Shia Ithnaasheri Sharia.

4. MEMBERSHIP:

(a) Eligibility

Membership of the millat shall be open to any Shia Ithnaasheri who has attained the age of 18 years.

(b) Application

~~(i) All persons eligible for membership shall in the first instance apply to the secretary for appropriate application forms.~~

(ii) The acceptance of the signed application forms together with the requisite subscription and the prompt payment of all annual subscriptions shall grant the persons membership.

(c) Rights and Duties of Members

(i) Members shall have the right to receive notices of and attend general meetings.

(ii) Members shall have the right to vote at meetings elect members of the managing committee and other office bearers including trustees.

(iii) Members shall have the right to be nominated to serve as office bearers per article 6(b).

(iv) All members shall be required to pay their subscriptions annually on receiving notification of the amount of subscription from the secretary. Failure to pay the prescribed within three months of the date of notification shall automatic terminate the membership rights.

(d) Resignation/Disqualification

- (i) A member may resign at any time by giving notice in writing to the Hon. Secretary.
- (ii) The resigning member shall remain liable for any outstanding dues or subscriptions.
- (iii) A member shall be disqualified if he ceases to be a Muslim professing Shia Ithnaasheri faith.

(e) Subscription

- (i) Any person admitted as a member shall forthwith pay the subscription for the current year.
- (ii) Every member shall be required to pay the annual subscription on the first day of RABI UL AWAL each year. The amount of the subscription shall be fixed by the members at a General Meeting.

5. GENERAL MEETINGS

~~A General Meeting shall be either an Annual General Meeting, a Special General Meeting or an Emergency General Meeting.~~

(a) Annual General Meeting

The Annual General Meeting of the Millat shall be held within one month after Ramdham each year for the purpose of:-

- (i) Adoption of Minutes of previous General Meeting and preceding Special or Emergency General Meetings.
- (ii) Receiving from the Managing Committee a report and the audited Balance Sheet and accounts for the preceding financial year.
- (iii) Electing, the office bearers and the members of the Managing Committee.
- (iv) Appointing the Auditors of the Millat.
- (v) Transacting any other business specified in the Notice calling the meeting.

A member wishing to move any resolutions at the Annual General meeting shall give notice thereof in writing to the Hon Secretary not less than 14 days before the date of such meetings, provided however, the

chairman may in his discretion and for good reasons, permit a member to introduce a motion of which no due notice has been given.

(b) Special General Meeting

(i) A Special General Meeting may be called by the Managing Committee as and when necessary to transact business of such nature as is required to be approved by or to be notified to and discussed by the members before the date of the Annual General Meeting.

(ii) Upon a written petition to call a General Meeting on a matter of importance or urgency signed by at least 25% of the voting members or 50 in number of the Millat whichever shall be the lesser and delivered to the Secretary. The Managing Committee shall convene a Special General Meeting within 6 weeks of the receipt of such a petition.

(c) Emergency General Meeting

An emergency General Meeting may be called by the Managing Committee when a matter of great importance and urgency has to be discussed and approved by the Millat and when such a matter cannot await the usual time required for the convening of a Special General Meeting or to transact business referred to in Clause 6 (c).

(d) Notice of General Meetings

At least 21 clear days before the Annual General Meeting or a Special general Meeting, a notice of such a meeting together with details of the matters to be transacted at such a meeting shall be circularised to all members entitled to receive such a notice and shall also be posted upon the notice board of the Millat.

At least 4 days notice in writing shall be given to the members entitled to receive such a notice before calling an Emergency General Meeting.

A non-receipt of any notice by a member shall not invalidate a meeting.

(e) Quorum

(i) At all General Meetings, 25% of the membership or 30 members shall constitute a quorum.

(ii) If a meeting commences with a quorum any subsequent lack of

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quorum during the proceedings shall not nullify the meeting.

- (iii) The quorum requirement shall be waived in relation to an Emergency General Meeting.

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- (iv) If within half an hour of the time appointed for an Annual or Special General

Meeting a quorum is not formed, the Chairman shall adjourn the meeting to a date either fixed at the same time or to be fixed by the Managing Committee. At the reconvening of the meeting no quorum shall be required.

(f) Motions

(i) Notice of Motion

Save as otherwise provided a member may introduce a motion at any meeting if at least 7 clear days notice in writing signed by the member has been given to the Secretary, stating clearly the nature and substance of the proposed motion.

If a motion of which notice has been given be not moved and seconded when it comes in due course before the meeting, it shall be treated as dropped, and shall not be moved without a fresh notice.

(ii) Motions Without Notice

At any meetings the Chairman may at his discretion permit a member to introduce a motion of which no due notice has been given.

Every such motion or amendment shall be moved and seconded and shall be reduced to writing if required by the Chairman and shall be read to the meeting before it is further discussed or put to vote.

6. THE MANAGING COMMITTEE

(a) Composition

- (i) The Managing Committee shall comprise of following members:-

The President
The Vice-President
The Hon. Secretary
The Hon. Treasurer
Three Members.

(b) Eligibility

- (i) All the members over the age of 18 shall be eligible for election to the Manning Committee subject to the proviso in 6(b) (ii) below.

- (ii) No member under the age of 25 shall be eligible for nomination for the posts of the President and the Vice-Presidents.

(c) Election

- (i) All office bearers elected at an Annual General Meeting shall hold office for a period of one year. All office bearers elected at a Special General Meeting shall hold office until the time when the Annual General Meeting must be held.

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(ii) In the event of the Annual General Meeting failing to elect the Manning Committee the retiring Manning Committee shall continue in the office for a further period of three months within which time, a Special General Meeting shall be called to elect the New Manning Committee for the ensuing period.

(iii) The retiring Manning Committee shall also serve notice to Trustees of the Millat summoning the Trustees to attend the Special General Meeting. The Notice shall further state that if the Special General Meeting fails to elect new office bearers it shall become incumbent upon the Trustees in accordance with clause 9 to temporarily assume the charge of the affairs of the Millat.

(iv) The Special General Meeting so called in pursuance to Clause 6(c) (ii) may be deemed to an Annual General Meeting and may conduct the transactions of the Annual General Meeting.

(d) Transition period-transfer of power to the newly elected Managing Committee shall be done in an orderly manner and shall be completed

within

30 days of the election of the new office bearers. The period of new Managing Committee shall commence on the 31st day of the election.

(e) Powers and Duties

(i) General

Generally to do and perform all such matters and things as are necessary for carrying out the functions and duties imposed on the Managing Committee.

(ii) Officers and Staff

and

The Managing Committee may from time to time employ on such terms conditions as it may determine, such Aalims, Agents, Servants and workmen as may be necessary for the proper performance of the functions of the Managing Committee. Such employees shall be under the orders of the Managing Committee only. If a member has any cause of complaint he shall bring the same before it in writing. The appointment and dismissal of the staff in the employment of the millat shall be under the exclusive control of the Managing Committee and its decision in these matters shall be final.

(iii) Sub-Committee

The Managing Committee may appoint from amongst its members or members of the Millat such other sub-committees either for a general or special nature as they may from time to time consider necessary. Each

in sub-Committee shall, subject to any general directions of the Committee be immediate charge of the affairs of the particular function of the Millat for which it is responsible. The President and Hon. Secretary shall be ex-office members of every sub-Committee of the Managing Committee. Each such Sub-Committee shall when its members meet appoint a secretary to record the minutes of such meeting and the secretary immediately after each such meeting submit the minutes of the meeting to the Managing Committee at its next meeting.

(iv) Bye Laws

The Managing Committee may from time to time, subject to the approval of the Millat make, vary and revoke bylaws not inconsistent with this constitution for the regulation of the internal affairs of the Millat and conduct of the members. All bye-laws shall be submitted to the Millat at a General Meeting for approval, and if approved shall until revoked by the Managing Committee, be binding upon the members.

(v) Resignations

The non-attendance without good and sufficient cause, at three consecutive meeting may result in the resignation of such a member at the discretion of the Managing Committee.

(vi) Vacancies

(i) The Managing Committee shall have power to appoint any member to fill a casual vacancy in the Managing Committee and Sub-Committee.

(ii) If, however, the President and three other member of the Managing Committee resign at one time then the entire Managing Committee shall be considered to have been automatically dissolved except for the purpose of rule (iii) hereafter, and a General Meeting shall be called within one month of the resignation for the election of the new Committee.

(iii) Until such new Managing Committee is elected as laid down in the preceding rule, the Managing Committee shall carry on the necessary management of any urgent business of the Millat.

(f) Meetings of The Managing Committee

(i) The Hon. Secretary shall give at least 14 days of notice of a Managing Committee Meeting.

(ii) Upon a requisition by at least three members of the Managing Committee the Hon. Secretary shall call a special meeting within ten days of the receipt of such a requisition.

- (iii) Four members of a Managing Committee shall form a quorum.
- (iv) The decisions of the Managing Committee shall be taken by a majority of members.
- (v) The Managing Committee shall meet at least once every two months.

7. DUTIES OF OFFICE BEARERS

(a) The President

- (i) The president shall be the administrative head of the Millat and shall preside over all general and Committee and sub-Committee meetings when present at such meetings. He shall have the powers necessary to ensure orderly proceedings in the meetings. He shall have a casting vote in addition to a deliberative vote at all Committee meetings only.
- (ii) The President shall direct the Secretary to convene General and Committee meetings as and when necessary. It shall be incumbent upon the President to give such a direction upon the receipt of the petition from at least 50 members or 25% of the membership of the Millat requesting such a meeting.

(b) Vice President

In the absence of the President the powers, duties and rights of the President shall vest on the Vice-President. On all other occasions he shall assist the President as and when required.

(c) Hon Secretary

- (i) The secretary shall keep all records of the Millat and deal with all correspondence in accordance with the direction of the President and the Managing Committee.
- (ii) The Secretary shall keep a record of minutes of all General and Committee meetings. He shall also convene all meetings as directed by the President.
- (iii) The Secretary shall prepare the annual report of the state of affairs of the Millat and after its approval by the Managing Committee present the same to the Millat at its Annual General Meeting.
- (iv) The Secretary shall prepare a list of the members of the Millat as required under the Constitution and publish the same.
- (v) The Secretary shall maintain and update regularly the register of members.
- (vi) The Secretary shall officiate at weddings and shall be responsible for the issue of marriage certificates..

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(a) Composition

The number of the Trustees shall be five.

(b) Eligibility

All members over the age of 30 years shall be eligible to hold office as Trustees.

(c) Election

The Trustees shall be elected at a General Meeting to hold office for a period of 5 years. On expiration of their term new Trustees shall be elected as soon as

possible and until the new Trustees are elected, the retiring Trustees shall continue to hold office. The retiring Trustees shall be eligible for re-election. The Senior Trustee shall be the eldest trustee.

(d) Duties

(i) The Trustees Shall hold the Trust Fund Upon trust to apply the same in furtherance of the objects of the Millat as set of in section 3. hereof.

(ii) If called upon by the retiring Managing Committee to temporarily assume charge of the affairs of the Millat.

(iii) Powers

The Trustees shall have the following powers:

~~(a) To acquire by purchase exchange gift or otherwise other freehold and leasehold land, premises and movable assets for the use of the Millat to hold as part of the Trust Fund.~~

(b) To sell exchange or lease any freehold or leasehold any land premises or movable assets which may any time be comprised in the Trust Fund at the direction of the Managing Committee.

(c) To receive donations in accordance with Section 3 hereof.

(iv) Regulations

(a) The Trustees shall hold meetings whenever required to do so by the Managing Committee in addition to their own regular meetings.

(b) The Trustees shall provide and keep a Minute book in which shall be entered the proceedings of the Trustees and which shall be signed by the senior Trustee at the conclusion of each meeting or at some future meeting if the Minutes have been duly confirmed.

(c) The Trustees shall provide books of account in which shall be kept all proper accounts of all money received and paid respectively by and on behalf of the Trustees for the purposes of the Millat.

(d) The Trustees shall arrange for the accounts to be audited yearly.

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- (e) The Trustees shall open and maintain in the name of the Millat from time to time a bank account or bank accounts at such banks or banks as the Managing Committee shall decide and may at any time pay any monies forming part of the Trust Fund to the credit of any such account or accounts or place the same on deposit which any bank or banks and all cheques and orders for the payment of the money shall be signed by at least two of the Trustees.

(e) Resignation Disqualification and Removal

A Trustee shall cease to be a Trustee when he

- (i) retires or resign from his trusteeship; or
- (ii) becomes bankrupt or makes arrangement with his creditors; or
- (iii) becomes incapable or unfit through illness otherwise to act; or
- (iv) ceases to be a Muslim of Shia Ithna-Asheri faith or acts by commission or omission contrary to the object of the Millat; or
- (v) being a Trustee appointed for a fixed period has completed his term; or
- (vi) without good reason or consent of the majority of the trustees fail to attend Trustees ' meetings for a period of any 3 consecutive meetings.

A Trustee shall not cease to be a trustee by his absence only (weather continuos or intermittent) abroad for any period of time or by his not being a resident ordinarily resident or domiciled in the United Kingdom.

(f) Vacancies

In the event of a vacancy being created it shall be filled as soon as possible at the next General Meeting.

10. GENERAL PROVISIONS

(a) Legal Representation

The President and the Hon.Secretary shall represent the Millat in all legal matters and proceedings.

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(vii) The Secretary may delegate any or all of the above to the Assistant Secretary.

(d) Hon. Treasurer

(i) The Treasurer shall be responsible for all financial transactions of the Millat and maintain records thereof and submit such records to the Managing Committee from time to time.

(ii) Deposit all the monies of the Millat to the bankers of the Millat.

(iii) Keep account of all receipts and payments and maintain proper books of account and furnish them to the Managing Committee and the auditors as and when necessary.

(iv) Present at Annual General Meeting an audited income and Expenditure Account and a Balance Sheet, from the date of the last audited accounts up to the end of a calendar month not exceeding 30 days prior notice to the date of such annual General Meeting and a summary of the audited income and Expenditure Account for remaining period ending with the date as near the date of the meetings is practicable.

8. FINANCE

(a) Bankers

The funds of the Millat shall be deposited at a Bank as designated from time to time by the Millat.

(b) Authorised Signatories

The Treasurer shall sign all cheque, money orders, postal orders, and all other such financial documents and shall submit the same for counter signature to the president or in his absence, the Hon Secretary or in the absence of both above, the Vice-President may authorise a payment and on such authorisation the documents stated above shall be signed by the President and either the Vice-President or the Hon. Secretary.

(c) Expenditure

The Managing Committee shall have power to incur all the expenses necessary for the proper management of the Millat and for carrying out the religious activities of the Millat.

(d) Borrowing - Raising Money

The Managing Committee shall, subject to a mandate given by members present and voting at a General Meeting have the right from time to time to raise or borrow such sums of money as may be for the purposes of the Millat.

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- (b) Election of a Member not Present At General Meeting
A Member shall not be debarred from being elected at any office of the Millat including election as a trustee in his absence if a prior written consent of such a member is produced at a General Meeting where such an election is being held or is deposited with the Secretary before the time of such meeting.
- (c) Proxy Vote
No member, who is absent from a meeting shall be entitled to vote by proxy.
- (d) Seal
The seal of the Millat shall be kept at the offices of the Millat and shall be fixed in the presence of the Trustees and Hon. Secretary. A record of the use of the seal shall be maintained.
- (e) Appeals for Donations
No appeal for donations shall be made by a member or members without the prior written consent of the Managing Committee except the Trustees.

11. ALTERATIONS AND AMENDMENTS TO THE CONSTITUTION

- (i) A member wishing to propose any amendment to the Constitution shall give notice in writing to the Secretary enclosing a copy of this proposed amendment at least 10 weeks before a general meeting.
- (ii) The Managing Committee shall circulate the proposed amendment of which a notice has duly been given at least three weeks prior to the calling of a meeting at which the amendment proposed is to be discussed, and call the General Meeting within 6 weeks to discuss the proposed amendment.
- (iii) A resolution for an amendment to the Constitution shall not be passed unless it is voted upon by a majority of 2/3 of the members present and voting.
- (iv) If a proposed amendment fails to obtain the requisite number of the votes a similar proposal shall not be introduced until after the expiration of 6 months from the date of the last such voting.

12. DISSOLUTION

The Millat shall not be dissolved except by a resolution passed at a Special General Meeting by a two thirds of the vote of all members present. The quorum for such a General Meeting shall be 75% of the members of the Millat. If a quorum is not present, the meeting shall be adjourned to the next date at which the same conditions for quorum shall apply.

On dissolution and winding up of the trust disposal of properties and assets of the trust to be awarded to a trust of similar aims and objectives decided by a majority vote of full members