

Bismillahir-Rahmanir-Raheem

In the Name of Allah, the Most Gracious, the Most Merciful

Constitution
of
Chelmsford Muslim Society

Charity Commission

13th December 2010

1 NAME

The name of the association is **Chelmsford Muslim Society** hereinafter called the 'Association'. The Masjid (Mosque) and assets of the Masjid shall be deemed 'Organisation'.

2 MASJID

- i) The Masjid is not owned by any individual, organisation or the Muslim Community.
- ii) The Masjid (Mosque) is Waqaf (Trust) property for Allah S.W.T worship only.
- iii) The Masjid can never be sold, exchanged, given away or alienated.
- iv) Every Muslim has the right of admission and worship in the Masjid.

“And the Mosques are for Allah (Alone): so invoke not anyone along with Allah” (Q18:72).

3 PURPOSE AND RESPONSIBILITIES OF THE ASSOCIATION

- i) To advance the Islamic religion in Chelmsford, Essex, for the benefit of the public through the establishment of a Masjid to facilitate the holding of prayers, lectures and public celebration of religious festivals and activities for the community.
- ii) To advance the education of the public in the subject of the Quran by the holding of classes for the Muslim community and to advance the religious Islamic education of the public, with the help and advice of the Imams.
- iii) To relieve hardship, poverty and sickness by the provision of support, guidance and grants to other charities and individuals.

4 MEMBERSHIP

- i) Membership of the Association shall be open to all Muslims who live or work within the Chelmsford borough.
- ii) Membership of the Association shall be subject to an annual membership fee of £60.00.
- iii) Only a member can be eligible to cast a vote at general meetings.
- iv) Only a member of the association is eligible to select or stand for election to Management Committee if there is a vacancy.
- v) Application for membership can only be made during the first three months after the annual meeting.
- vi) Membership will be terminated if found to be using the position for ones own purpose and not for the objects set out in section 3.
- vii) Members of the Association shall be at least eighteen years of age or over.

4.1 Management Committee shall have the right:

- i) To approve or reject application for membership providing there is a valid reason according to Shariah.
- ii) For good and sufficient reason to suspend or terminate the membership of any individual member.

5 MANAGEMENT COMMITTEE

- i) The affairs of the Association shall be managed by a Management Committee (herein referred to as 'the Committee').
- ii) The function of the Committee will be transparent and monitored by the other members of the Association, including the Imam(s).

5.1 Composition & Term of Office

The Committee shall consist of the following persons who shall be elected or nominated every four years at the Annual General Meeting:

Committee:

- Chairperson
 - Vice Chairperson
 - Secretary
 - Joint Secretary
 - Treasurer
 - Assistant treasurer
 - Additional Member
- i) To maintain fairness and ethnic equality, both the major communities (i.e. Bangladeshi and Pakistani) must always have equal number of representatives in the committee, the management committee must not be dominated by persons from any one nationality.
 - ii) Management Committee Membership will be terminated if found to be using the position for ones own purpose and not for the objects set out in section 3.
 - iii) Management Committee Members must not be involved in any fraudulent activity that is currently under investigation by the authorities.
 - iv) Management committee membership will dissolve at the end of the term. The members will be eligible for re-election. However the existing committee will maintain responsibility for administration and formation of the next committee.
 - v) The next committee will be chosen from the association, by the members of the association in proportion mentioned above. Procedure to be by unanimous or majority vote, nominated by members of the association.

5.2 Requirements of Committee members:

- i) Practicing and righteous Sunni Muslims who regularly attend the Masjid.
- ii) Be prepared to serve the community to the best of their ability not for any other reason, and have qualities of Taqwah and Birr, where:

Taqwa is "to act in obedience to Allah SWT, with guidance from Allah, seeking Allah's reward, and to avoid disobeying Allah, with guidance from Allah, fearing His severe punishment"

Birr is excellence in Iman and its qualities are described in Surah Al-Baqarah as: <<It is not righteousness that you turn your faces toward the East or the West [in prayers], but righteousness is he who believes in Allah, the Last Day, the Angels, the Book, and the Prophets, and he who gives his wealth, in spite of the love for it, to kinfolk, to the orphans, to the needy, to the wayfarer, to those who ask, and he who sets slaves free, and

he who establishes prayers, and gives the purifying charity, and those who fulfil their covenant when they make it, and those who are patient in extreme poverty and ailment, and at the time of fighting during battle, such are the people of truth, and they are the pious”>>(Q2:177)

- iii) A Committee member must be a practising Sunni Muslim of respectable character that attends the mosque regularly.
- iv) A Committee member must not be an employee of the Masjid.
- v) A Committee member must be responsible to oversee all affairs related to the preservation, administration and maintenance of the Masjid.
- vi) A Committee member shall not belong to any banned organisation that is against our Islamic faith.
- vii) The Committee must address any matters raised by the members of the association.
- viii) No single committee member shall take sole action on any matters without the consultation of all the Committee members, unless they have expressly been given responsibility for a certain matter by the committee members.

6 COMMITTEE MEETINGS

The Committee shall meet at least bi-monthly (6 times in a year), as and when required.

6.1 Procedure at Committee Meetings

- i) All Committee meetings will be held and minuted in Chelmsford Masjid.
- ii) All decisions should be taken unanimously and with mutual understanding.
- iii) If, however, a decision cannot be reached, then the committee will vote on the matter and the decision will be taken based on a two third majority vote.

7 MEMBERS MEETING

7.1 Annual General Meeting

The Association shall hold a General Meeting every year and the business shall be:

- i) To provide information of the accounts of the Association.
- ii) To discuss progress of the Association.
- iii) An annual agenda will be developed each year by the Association that sets out the annual objectives and activities for achieving the objectives.
- iv) Progress with achieving the items on the agenda will be reported by the Management Committee.
- v) Any other matters that need to be discussed.
- vi) The AGM requires attendance of at least one-third of the members of the Association. If sufficient members are not present by the time set for the meeting, the Meeting shall be adjourned to such time as shall be determined by the Committee.

7.2 Notice of Annual General Meetings

- i) Notice of the Annual General Meeting shall be given to members at least 28 days before the date of Meeting.
- ii) Resolution proposed to be put to the meeting and nominations for posts on the working committee must be received by the secretary or other persons as the Committee may determine, at least 14 days before the meeting, such resolution or nomination must bear the written support of not less than 2 full members of the Association.
- iii) The secretary shall circulate all supported resolutions and minutes of the previous Annual General Meeting at least 10 days before the meeting.

7.3 Special General Meeting

- i) A Special General meeting shall be conveyed by the committee or on the written request of not less than one third members of the association.
- ii) Notice of Special General Meeting shall be given to the members at least 14 days before the date of the meeting and include the proposed agenda of the meeting.

8 VOTING

All decisions taken at Special and General Meetings shall be decided by a simple majority. The decisions will be accepted so long as they do not disagree with Clause 3, Purpose and Responsibilities of the Association and our faith. If there is an equality of votes then the chairperson of the Meeting shall have an extra or a casting vote.

9 MINUTES

The Secretary or a member of the Committee chosen by the Committee shall keep minutes of all proceedings and a register/data of all the members of the Association.

10 TERMINATION OF COMMITTEE MEMBERSHIP

- i) Any member of the Committee who fails to attend two consecutive Committee meetings shall cease to be a member of the Committee unless they give a reason, which is in the opinion of the Committee 'satisfactory'.
- ii) Any member of the Committee who wilfully refuses to discharge their duties, or becomes unable to or incapable of carrying out their duties, shall cease to be a member of the Committee as determined by the association.

10.1 Vacancies Arising on the Committee

- i) Any vacancies arising on the Committee due to resignations or terminations of committee membership etc., between Annual General Meetings may be filled by the Management Committee. The newly elected committee member(s) will be from the same ethnic community as their predecessor and subject to the majority approval at the Special General Meeting held by members of the association. If there is an equality of votes then the chairperson of the meeting shall have an extra casting vote.

- ii) The proceedings of the 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.

11 TRUSTEES

The Committee will be responsible to put forward the names of trustees when the need arises.

- i) The appointment and purpose of a trustee is to hold any real or leasehold property or investments belonging to the organisation.
- ii) Any vacancies of the trustees shall be filled by a member of the same ethnic community.
- iii) There shall not be more than four trustees; the trustees must not be dominated by persons from any one nationality.
- iv) The trustees shall hold office until resignation or becoming disqualified due to neglect.

12 IMAMS

- i) The Imams are in charge of all religious matters.
- ii) The Imams should be available to attend the Committee meetings when required.
- iii) If any of the Imams wishes to raise an issue, they will pass their concern to the Chair/vice chairperson who will try to find a solution via the Committee.
- iv) If the matter remains unresolved through the committee then a Special General Meeting will be called. If the matter still remains unresolved, then an independent Islamic scholar will be consulted as an arbitrator, i.e. Regents Park Mosque.

12.1 Choosing Imams

The Imams and/or religious teachers will be chosen by the Committee.

12.2 Requirements of Imams

The committee will be responsible for appointing the Imams using the following rules:

- i) The Imams must follow the Hanafi school of thought.
- ii) Must be pious and of Islamic character.
- iii) Must be Hafiz of Qur'an; be suitably qualified and knowledgeable to fulfil their duties.
- iv) Imams must be able to speak English, and have a good knowledge of Arabic.
- v) Preference will be given to Bengali and Urdu speaking Imams.

13 EMPLOYEES/VOLUNTEERS

- i) All mosque employees and any volunteers working with children must have a CRB (Criminal Record Bureau) Check.
- ii) Only employees/volunteers selected by the management committee shall be allowed to teach children.
- iii) Any vacancy for employment must be advertised.

14 CHANGES TO THE CONSTITUTION

- i) Alterations to this constitution shall be put to the committee for consideration.
- ii) The committee shall also consult with the Imams on the matter when deciding whether or not to approve the change.
- iii) The final decision should be ratified by the association at a general meeting requiring the consent of two thirds of its members.
- iv) The alterations can be accepted only if it proves to be beneficial for religion and society. No alterations, which go against our faith, will be allowed.

15 PRIOR AGREEMENTS NULLIFIED

Any previous document, rules, regulations or constitutions of any sort referring to Chelmsford Jamia Masjid or Chelmsford Muslim Society have been invalidated, cancelled and made null and void by this constitution.

16 DISSOLUTION

- i) If the members resolve to dissolve the Charity the Trustees will remain in office as Charity Trustees and be responsible for winding up the affairs of the Charity accordance with this clause.
- ii) The trustees must collect in all the assets of the Charity and must pay or make provision for all the liabilities for the Charity.
- iii) The Trustees must apply any remaining property or money:
 - a) directly for the Objects;
 - b) by transfer to any Charity or charities for the purposes the same as or similar to the Charity;
 - c) in such other manner as the Charity Commission for England and Wales (“the commission”) may approve in writing in advance.
- iv) The members may pass a resolution before or at the same time as the resolution to dissolve the Charity specifying the manner in which the Trustees are to apply the remaining property or assets of the Charity and the must comply with the resolution if it is consistent with the paragraphs (a)-(c) inclusive in sub-clause (iii) above.
- v) In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a Charity)
- vi) The Trustees must notify the Commission promptly that the Charity has been dissolved. If the Trustees are obliged to send the Charity’s accounts to the Commission for the accounting period which ended before it’s dissolution, they must send the Commission the Charity’s final accounts.

APPENDIX

Code of Conduct and Role of the Management Committee Members

