

In the name of Allah, Most Gracious, Most Merciful

CONSTITUTION AND BY LAWS
OF
THE ISLAMIC ASSOCIATION OF
SASKATCHEWAN, REGINA Inc.

**Constitution Approved
At the time of**

The Board of Directors (1993 – 1994)

Br. Abdul Qayyum

Br. S. Ejaz Ahmed, Vice President

Br. A. H. Jaffery, Secretary

Br. Razak Moghal, Treasure

Br. Naiyer Habib, Member

Br. M. Afsar, Member

Br. Br. A. Aboguddah, Member

1 St. Amendment

August 30' 1998

ARTICLE V1 Section 6. 1. A

3273 Montague Street, Regina, SK, S4S 1Z8 ☎ (306) 585 0090

In the name of ALLAH, most gracious, most merciful.

CONSTITUTION AND BYLAWS OF THE ISLAMIC ASSOCIATION OF SASKATCHEWAN, REGINA INC.

ARTICLE I - NAME

The name of the organization shall be "The Islamic Association of Saskatchewan, Regina Incorporated." from now on referred to as the "Association."

ARTICLE II - CREED

The basic belief of the Association is the Quran, Sunnah and the Kalima, "*La Ilaha Illalah Muhammad-ur-Rasul Allah*". which means there is no god but Allah (God) and Muhammad (peace be upon him) is His messenger. Furthermore, the belief that Prophet Muhammad (peace be upon him) is the last messenger/prophet of Allah and no messenger/prophet will come after him.

ARTICLE III - NATURE

The Association shall be a non-profit organization.

ARTICLE IV - PURPOSE

1. To advance Islamic religion and culture.
2. To promote brotherhood amongst Muslims.
3. To promote and encourage mutual understanding and friendly relations between Muslims and non-Muslims through educational and cultural activities.
4. To organize religious, educational, cultural and social activities.
5. To provide counselling upon request.

ARTICLE V - ORGANIZATION

The Association shall have the following structure:

1. Members
 - a. Member.
 - b. Associate Member.
 - c. Honorary Member

- d. Ex-officio Member
- 2. Board of Directors:
Referred to as " The Board."

ARTICLE VI - MEMBERSHIP

Section 1 - DEFINITION AND ELIGIBILITY.

- 1.1. MEMBER - Any Muslim of the age of 18 years and over, citizen and/or permanent resident of Canada, residing in the Province of Saskatchewan shall be eligible for membership, provided that he is not a voting member of other Islamic organization of Saskatchewan. A family membership will constitute husband and wife as two independent Members.
- 1.2. ASSOCIATE MEMBER - Any Muslim residing outside the Province of Saskatchewan or any non-Muslim who supports the aims and objectives of the Association shall be eligible for Associate membership when sponsored by at least two Members of the Association in good standing.
- 1.3. HONORARY MEMBER - Honorary membership may be granted to an individual who has rendered outstanding services toward the furtherance of the aims and objectives of the Association or to a distinguished person at the approval of the General Body.
- 1.4. EX-OFFICIO MEMBER. - Any Muslim on temporary visa residing in the Province of Saskatchewan shall be eligible for Ex-Officio membership.
- 1.5. A register of the membership as outlined in the Article V, Section 1, shall be maintained by the Secretary.
- 1.6. MEMBERSHIP IN GOOD STANDING - Membership in good standing shall be maintained by payment of all dues and assessments levied by the Association except when such dues and assessment are waived by the Board under special circumstances.

Section 2 - APPLICATION AND APPROVAL OF MEMBERSHIP

- 2.1. Application for membership shall be made to the the Board and filed with the Secretary in such a form as may from time to time be prescribed by the Board along with appropriate membership fee.

- 2.2. The membership application will be considered by the Board upon receipt of the application and appropriate membership fee. The Board's decision will be communicated to the applicant within 8 weeks in writing by the Secretary.

Section 3 - MEMBERSHIP FEE

- 3.1. Annual membership fee will be assessed by the Board and presented at the Annual General Meeting for the approval by the General Body.
- 3.2. The Honorary, Associate and Ex-officio members will not be assessed any fee.

Section 4 - TERM OF MEMBERSHIP

- 4.1. Membership will remain valid for the term of the Board for which the fee has been paid.
- 4.2. Membership will be renewed after the beginning of every term of the Board upon receipt of the annual membership fee.
- 4.3. A Member who fails to pay annual membership fee within **90** days of the beginning of the term of the Board, will lose all the privileges of the membership. These privileges will be restored after payment of the annual membership fee at any time subject to the Article VI Subsection 5.2.b.

Section 5 - RIGHTS OF MEMBERSHIP

- 5.1. All members shall have the right to exercise all the privileges provided by the Association as noted in Article VI, Subsection 5.2 and 5.3.
- 5.2. The Member in good standing shall have the following rights:
- a. To vote on all matters.
 - b. To vote in the general elections , to nominate and to be nominated for a position on the Board provided the Member has paid the annual membership fee 30 days in advance of the last date of the term of the Board
 - c. To hold office in the Association, duly elected or appointed to Chair a committee of the Association as permitted by the Constitution and the Bylaws of the Association.

- 5.3. The Associate, Honorary and Ex-officio members will not have the right to vote, to nominate or to hold any office as a Director of the Association or as a Chairperson of a committee of the Association, but they may be appointed by the Board as a member of such committee.

Section 6 - TERMINATION OF MEMBERSHIP.

- 6.1. LOSS OF MEMBERSHIP - A Member's name may be struck off from Register of Membership, if in the opinion of the General Body, the Member has acted against the constitution of the Association. The said Member will have the right to defend himself before the General Body.
- 6.1.A. TERMINATION OF MEMBERSHIP - Any Member taking any action related to any affair of the IAOS, Regina Inc. legal, police, or others against any Member, any Director of the Board of the Association or the Association without going through the Board or the General Body or against the decision of the Board or the General Body, will lose his or her membership with immediate effect on notification by the Board. The Member may appeal within 20 days following the resolution of the termination of the membership, to the Board (*Amendment August 30 1998*).
- 6.2. WITHDRAWAL OR RESIGNATION - A Member may withdraw or resign from the membership after a written notice to the Board.
- 6.3. Under any circumstances as in Article VI, Subsection 6.1 and 2 the Member will not be entitled to refund any portion of the fee that may have been paid.

ARTICLE VII - COMMITTEE

1. One or more committees may be appointed from time to time in the best interest of the Association by the Board for the term of their office.
2. Any committee thus formed will be responsible to the Board.
3. The committee thus formed shall consist of not more than 7 members.
4. The Chairperson of the committee may be appointed by the Board or may be elected by the members of the committee and then approved by the Board.
5. The Chair-person of such committee shall be a member in good standing of the Association. The Chair-person will pay the membership dues within 90 days from the beginning of the term of the Board.

6. The Chair-person shall be the liaison between the Board and the committee members and submit a written report to the Board annually 30 days before the end of the term of the Board. The Chair-person or his designate will attend the meeting of the Board when requested by the Board or at the initiative of the Chair-person.

ARTICLE VIII - BOARD OF DIRECTORS

Section 1 - RESPONSIBILITIES AND FUNCTIONS

- 1.1. The affairs of the Association shall be managed by the Board. The Board may delegate any of its responsibilities and functions to a specific Director or a committee as it may consider fit in the interest of the Association.
- 1.2. The Board is responsible for implementing the decision taken by the General Body.
- 1.3. A Director of the Board ceases to hold office when:
 - a. He dies or resigns.
 - b. He is removed in accordance with Section 92 and 93 of "The Non-profit Corporation Act."
- 1.4.
 - a. The resignation of the Director becomes effective at the time when a written resignation is received and accepted by the Board.
 - b. It is incumbent upon the resigning Director to continue to fulfill his assigned responsibilities, if required, until a substitute has been appointed by the Board according to the Article VIII Subsection 4.2 and responsibilities have been transferred to the appointee to the satisfaction of the Board.
 - c. The Board shall appoint a substitute within 30 days of receiving the resignation.
- 1.5.
 - a. The General Body of the Association may remove any Director or Directors from the office, subject to Sections 91-G and 92-2 of "the Non-profit Corporation Act," by ordinary resolution at a special General Body meeting
 - b. The vacancy created by the removal of the Director shall be filled at the General Body Meeting of the Members at which the Director is removed.

Section 2 - DIRECTORS:

- 2.1. The Board shall consist of 7 Directors, that includes President, Vice-President, Secretary, Treasurer, and three Directors elected by a simple majority at the Annual General Meeting for one term. No person will hold the same office in the Board for more than one term.
- 2.2. The candidate for the Board must be a Member in good standing for a period of one year and of good morals. The Directors shall pay the membership and other dues within 30 days from the beginning of the term of the Board.

Section 3 - DISMISSAL FROM OFFICE

- 3.1. If any Director does not carry out his duties and responsibilities for any reason, the Board may recommend his dismissal to the General Body. A simple majority of the General Body can remove the Director.

Section 4 - VACANCIES

- 4.1. If the vacancy occurs for the office of the President, the Vice President will assume the office of the President for a period not exceeding three months, within which time a new President shall be elected by the General Body. Should the vacancy occur in the last quarter of the term of the Board, the Vice President will continue as the President until the end of the term of the Board. The position of the Vice-President can be filled according to the Article VIII Subsection 4.2.
- 4.2. Should a vacancy occur in any office of the Board other than the President, the Board shall appoint a Member for the position by a simple majority vote of the Board.

SECTION 5 - FUNCTIONS AND RESPONSIBILITIES OF THE BOARD

- 5.1. The functions and responsibilities of the Directors are listed in subsections 5.2 to 5.6 inclusive.
- 5.2. The President
 - a. Shall act according to the decision of the Board.

- b. Shall supervise and execute all the activities and overall management of the Association according to Subsection 5.2 a.
 - c. Shall chair the meetings of the Board and the General Body.
 - d. Or a representative designated by the Board shall represent the Association in the out side activities when required.
 - e. Shall co-sign the cheques along with the Treasurer for any expenses.
 - f. Shall present a report on behalf of the Board each year to the Annual General Body.
 - g. Shall vote only to break the tie vote of the Board.
- 5.3. The Vice-President
- a. Shall substitute the President when required
 - b. Shall perform any duty as assigned by the President or by the Board.
- 5.4. The Secretary
- a. Shall keep minutes of all meetings.
 - b. Shall prepare agenda of the meetings.
 - c. Shall keep all the records
 - d. Shall handle all the correspondence of the Association in consultation with the President.
 - e. Shall maintain register of the membership as out lined in Article V.
- 5.5. The Treasurer
- a. Shall keep the books of accounts
 - b. Shall co-sign cheques with the President.
 - c. Shall have a financial report prepared 30 days prior to the end of the term of the Board.
 - d. Shall collect the membership dues.
 - e. Shall present the audited financial report of the preceding fiscal year of the Association at the Annual General Body meeting.
 - f. Shall be responsible to fulfill any Government requirement with regards to the finances of the Association.
 - g. Shall be responsible to meet any other requirements for financial report.
 - h. Shall present a yearly budget.
 - i. Shall report the financial position of the Association when requested.
- 5.6. Directors of the Board
- a. As stated in Article VIII Section 1.1
 - b. The Board may assign any other duties to the Directors.

Section 6 - MEETING OF THE BOARD

- 6.1 Meeting of the Board shall be called by the Secretary with the approval of or on the advice of the President at least on one week's notice in advance.
- 6.2 The President may call a Board meeting at any time after the approval of any two Directors to discuss any important matters.
- 6.3 A simple majority will constitute a quorum.
- 6.4 A simple majority vote of the Directors present at a meeting shall constitute a decision. In case of tie, the Chairman President shall cast the deciding vote.

ARTICLE IX - FINANCE

Section 1 - SOURCE

- 1.1. Membership and other dues
- 1.2. Grants.
- 1.3. Donations
- 1.4. Investments
- 1.5. Social, cultural and educational activities.

Section 2 - APPROVAL OF EXPENSES.

- 2.1. The Board is authorized to spend funds on the basis of a yearly budget, received during the term of the Board from the membership fees and other sources. In the event of a projected deficit the Board must obtain an approval of the General Body.
- 2.2. The Board is not authorized to spend funds received as grant for specific purposes, for any other use without the approval of General Body. Under special circumstances authorization of reappropriation shall receive prior approval of the General Body.

Section 3 - TRUSTEE.

- 3.1. The General Body may create a Trust and appoint Trustees of a property, or a fund for a specific period under guidelines given by the General Body

ARTICLE X - GENERAL BODY MEETING

Section 1 - FREQUENCY.

- 1.1. The General body meeting will be held a minimum of one time during the term of the Board.

Section 2 - NOTIFICATION

- 1.2. The General Body meeting will be called by the Secretary with the approval of the Board. The notice of such a meeting with the agenda will be sent to the members, put on the notice board and announced at the congregational prayers in the mosque at least 15 days prior to such meeting.

Section 3 - QUORUM REQUIREMENT

- 3.1. Presence of one fourth of the Members will constitute a quorum.
- 3.2. In case of incomplete quorum, a second meeting shall be convened within seven days. The Members present in the second meeting shall constitute a quorum.
- 3.3. In situations for article VI section 6.1 and Article VIII section 1.5 the quorum of General Body shall be 50%.

Section 4 - CARRYING OF MOTION

- 4.1. A simple majority of the Members present will carry the motion.
- 4.2. In case of tie, the Chairman of the meeting shall cast the deciding vote.

Section 5 - CHAIRMAN

- 5.1. The President of the Association will chair the General Body Meeting.

Section 6 - ANNUAL GENERAL BODY MEETING.

- 6.1. The Annual General Body Meeting will be held in the last month of the term of the Board.

Section 7 - EXTRAORDINARY MEETING.

- 7.1. An extraordinary meeting may be called under extraordinary circumstances with a short notice as decided by the Board or the President.
- 7.2. The notice of the extraordinary meeting will be given by any means of communication by the Board or the President.

ARTICLE XI - FISCAL YEAR AND TERM OF BOARD

Section 1 - FISCAL YEAR

- 1.1. The fiscal year of the Association will be deemed from July 1 to June 30 inclusive.

Section 2 - TERM OF THE BOARD.

- 2.1. The term of the Board will be deemed from October 1 to September 30 inclusive.

ARTICLE XII GENERAL ELECTION

Section 1 - DATE

- 1.1. General election will be held annually in the month of September.
Beginning in 1994, President, Secretary and one Director will be elected for a 2-year term and Vice President, Treasurer and two Directors will be elected for a 1-year term.
Following 1994 all Directors for vacant positions will be elected for a 2-year term.

Section 2 - ELECTION COMMITTEE.

- 2.1. An Election Committee consisting of two members will be elected by the General Body in the General Body Meeting. The Election Committee hereafter is referred to as the "Committee" for this Article.

- 2.2. The Committee will obtain nominations from the Members in its devised form.
- 2.3. Consent of the nominee in the form of his signature for a particular position along with the names and signatures of two nominating members are required.
- 2.4. Members against whom any disciplinary action has been taken by the General Body will not be eligible for any position in the Board for a period as judged by the General Body.
- 2.5. Member who resigned from an elected position without any valid reasons will not be eligible for any position for the next term of the Board.
- 2.6. The Committee will determine the eligibility of the nominee for each position in the Board as per the constitution.
- 2.7. Any member of the Election Committee will not be eligible for the position on the Board.

Section 3 - METHOD OF ELECTION

- 3.1. Elections will be held by secret ballot and all the Members present can vote (Family membership refer to Article VI Section 1)
- 3.2. Ballot papers shall be destroyed after declaring the election results, with the approval of the General Body by simple majority vote.

Section 4 - RESULT OF ELECTION

- 4.1. A simple majority vote will determine the election of the Board.
- 4.2. The results of the elections will be announced immediately in the meeting.

ARTICLE XIII - AMENDMENTS

- 1.1. This Constitution and Bylaws or any part thereof may be amended or repealed by two-thirds majority vote of the Members present at the General Body Meeting provided that the notice of all such proposed changes is circulated in writing to all Members and posted on the notice board at least 30 days prior to the meeting in which such action will be taken.
- 1.2. The quorum requirement for Article XIII,1.1 is one half of the Members.

ARTICLE XIV - LEGAL MATTERS

- 1.1. In case of any legal action taken by any one against the Association or against any official of the Association in carrying out authorized official tasks, the expenses incurred are to be borne by the Association.

ARTICLE XV - DISSOLUTION

- Section 1. The dissolution of the Association can take place by the approval of the General Body only.
- Section 2. Upon dissolution of the Association the Board shall, after paying or making provisions for the payment of all the liabilities of the Association, dispose of all assets of the Association: firstly to one or more, registered Islamic Associations of the Province of Saskatchewan and secondly to other registered Islamic Associations in Canada.

ARTICLE XVI - MISCELLANEOUS

- Section 1. Any procedural matter not covered in this Constitution and Bylaws will be resolved according to the "Non-Profit corporation Act" and in keeping with the spirit of the Quran and Sunnah.
- Section 2. In all Bylaws of the Association and its Constitution the singular shall include the plural and the plural shall include the singular, and he shall be substituted for she and she shall be substituted for he, wherever applicable.
- Section 3. This Constitution and Bylaws replace the previous Constitution and Bylaws of the Association and come into effect immediately.

The following motion proposed by Sr. Zarina Sardar and seconded by Sr. Naushaba Habib: "The constitution and bylaws as read, discussed and decided are, hereby, approved by the General Body on the Eleventh day of December 1993."

The motion was approved unanimously by the General Body.