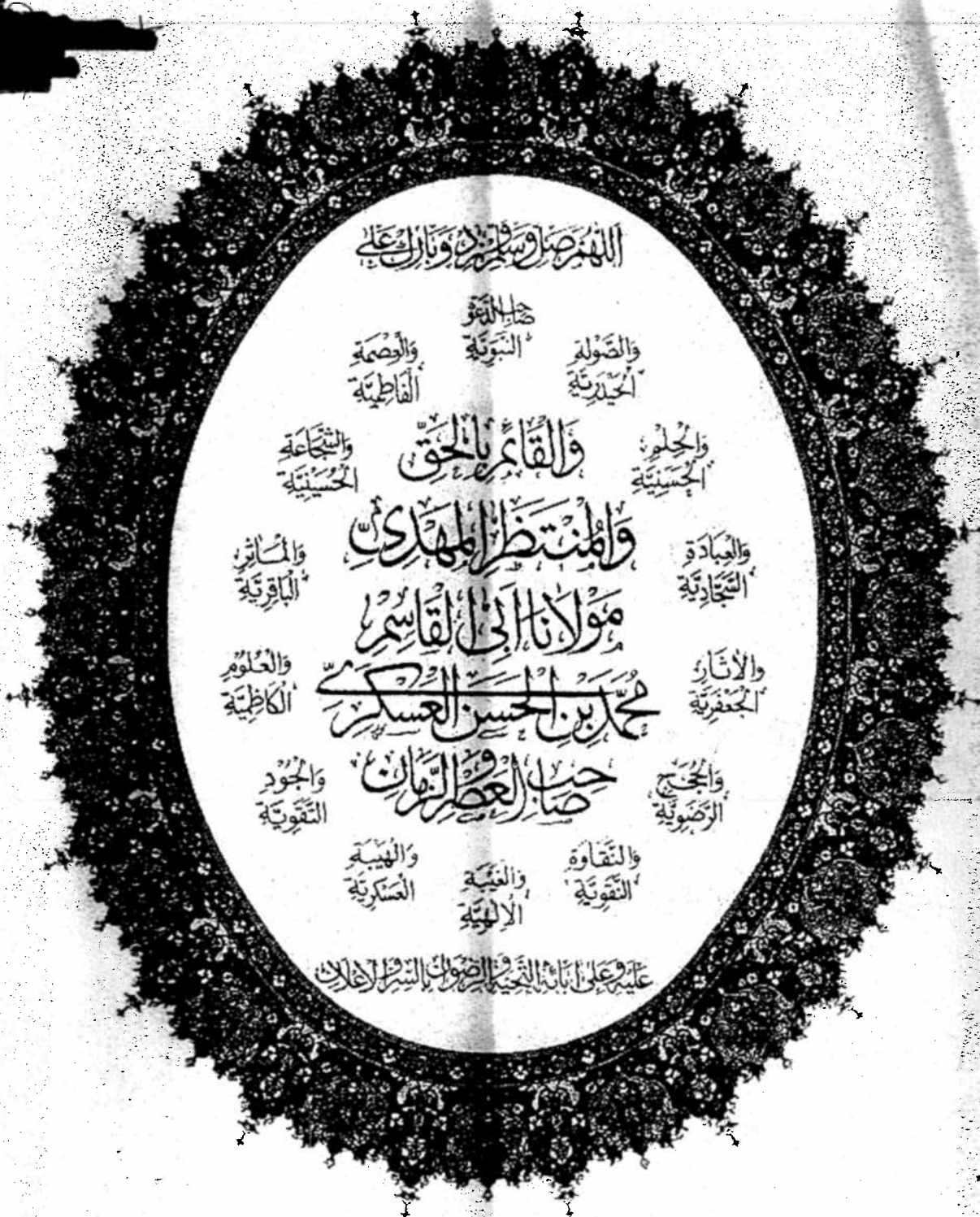


IN THE NAME OF ALLAH, THE MOST COMPASSIONATE, THE MOST MERCIFUL
MAY ALLAH BLESS THE PROPHET MOHAMMED AND AHLUL BAYT

Constitution and By-laws



"I am leaving for you two precious things and if you adhere to them both, you will never go astray after me. They are the Book of Allah and my Progeny, that is my Ahlul Bayt." Prophet Mohammed (PBUH and HF).

Hussaini Association of Calgary, Alberta, Canada. (403) 235-1212

**CONSTITUTION
OF THE
"HUSSAINI ASSOCIATION"**

DATES:

DRAFT: October 14, 2000

FIRST Revision: October 24, 2000

SECOND Revision: October 30, 2000


THIRD Revision: November 5, 2000

FOURTH Revision: November 10, 2000

PRESENTED TO EXEC. COMMITTEE: November 10, 2000

ACCEPTED BY GENERAL BODY: Approved as authorized
by the General Body

PRESENTED BY THE CONSTITUTION COMMITTEE CONSISTING OF,
IN ALPHABETIC ORDER:

	Name	Signatures	Date
1.	Haider, Iqbal		Nov 10/00
2.	Hasan, Shabih		Nov 10, 2000
3.	Hyder, Syed		10/11/00
4.	Kazmi, Shafiq		Nov 10/00
5.	Rizvi, Aftab		
6.	Syed, Naweed*		Nov 10/00
7.	Zaidi, Asim		Nov 10/00
8.	Zaidi, Ather		Nov 10/00
9.	Zaidi, Tasneem		Nov 10/00

*(Ex-officio; Executive Committee Representative)

In the name of Allah – the most beneficent and merciful, his last Prophet Mohammed – Peace be upon Him and the progeny of Mohammed – Ahlul Bayt; the followers of Fiqah-E-Jaffria (Jurisprudence of Hazrath Jafar A.S.) formed the Hussaini Association.

ARTICLE 1. NAME and LOCATION

Section 1. This organization will be known as The Hussaini Association of Calgary, hereinafter referred to as The Association.

Section 2. The Association is registered as a charitable organization, with the Government of Alberta under the Societies' Act, Statutes of Alberta, 1980: Chapters 5-18 with the registered charitable number 892653965 RR0001.

Section 3. The office of the Association is located at 3467 – 46 Avenue S.E. Calgary, Alberta, T2H 2H7. The mailing address is P.O. Box 1418, Station T, Calgary, AB., CANADA T2H 2H7. The current phone number is 403-235-1212.

ARTICLE 2. MISSION STATEMENT

To protect, promote and edify the understanding of religion among it's members, their families and others.

ARTICLE 3. AIMS and OBJECTIVES

- i) to promote the teachings of Islam in accordance with the Shia Ithna-Ashri and Fiqah-e-Jaffria to it's members, their families and others.
- ii) to protect and serve the religious, educational and cultural interests of it's members and their families.

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- iii) to provide opportunities and facilities, for all members, in following Islam according to the ideology of Fiqah-e-Jaffria and Ithna-Ashri.
- iv) to hold Congregations on religious auspicious days in accordance with the Islamic Calendar.
- v) to accept donations, raise and invest funds for the continued development of the Association.
- vi) to further fellowship and foster respect towards other religious organizations.

ARTICLE 4. DEFINITIONS

The terms used In this Constitution and By-Laws will have the following meanings:

- a) **General Body** all Active Members in good standing shall form the General Body.
- b) **General Meeting** means the meetings of the General Body.
- c) **Constitution** means this constitution and *By-Laws* as amended from time to time.
- d) **Election Day** means the day of election as determined by the Election Officer / Committee.
- e) **Executive Committee** members will be known as Officers and will include President, Vice-President, Secretary, Treasure, Coordinator and Past-President. The authority and responsibilities of the Officers are given in Article 9.
- f) **Board of Trustees:** will comprise of a committee of no less than 3 and no more than five Founding members elected by the General Body as given in the Articles 10-13.
- g) **Member** means an individual who qualifies in a given category as described in Article 6. All types of memberships hereinafter shall be loosely termed as "members" unless otherwise specifically stated.

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ARTICLE 5. GOVERNANCE

The Hussaini Association shall be governed by the Constitution approved by the membership of the General Body. The membership of the General Body shall authorize the elected members of the Executive Body to function in accordance with the approved constitution (and approved amendments), to propagate the teachings of the Fiqah-e-Jaffria and to provide opportunities and facilities for the practice of Islam in accordance with the beliefs of Fiqah-e-Jaffria.

ARTICLE 6. MEMBERSHIP: The membership will consist of Founding, Active, Provisional and Associate members as defined below:

Section 1. Founding Members: The Founding Members shall be the current active members in good standing for a minimum period of 10 years.

Section 2. Active Member: A Shia Ithna-Ashri Muslim with Fiqah-e-Jaffria ideology of practices who has been in good standing (in dues) for minimum period of two consecutive years. The Active members must be nominated by three current members in good standing.

Section 3. Only the Founding and Active members would be eligible to vote for the election of various bodies and constitutional amendments, and passing of the by-laws.

Section 4. A person who has denounced his/her membership or has acted against the interests of the Hussaini Association or Fiqah-e-Jaffria can not become a Founding or an Active member unless approved by the Trustees upon making a formal application.

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Section 5. Provisional Member: A Shia Ithna-Ashri Muslim with Fiqah-e-Jaffria ideology of practices and is in good standing of dues during the first two years of her/his membership.

Section 6. Associate member: Any person who voluntarily registers with the Association.

Section 7. The Active membership of the **GENERAL BODY** of the Hussaini Association is its Supreme Body and the members of the elected Executive Body shall always be accountable to this Supreme Body.

ARTICLE 7. ANNULMENT OF MEMBERSHIP

If convinced of misuse of the membership, the Board of Trustees, by two-third majority, may cancel a membership.

ARTICLE 8. EXECUTIVE COMMITTEE:

The elected Officers shall be Active members and shall form the Executive committee. The Executive will consist of President, Vice President, Secretary, Treasurer, Coordinator and Past President. The Past-President will be an ex-officio member. The Executive shall have the following powers and responsibilities:

Section 1. It will administer the affairs of the Association as set forth in the Constitution

Section 2. It will formulate the By-Laws for the smooth running of the Association activities within the framework of the constitution.

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- Section 3. It may appoint, and / or dissolve any sub-committee for any project or a special activity.
- Section 4. It may appoint an Active member to fill any vacancy on the Executive Committee. The General Body must ratify such appointment within six months from the day of the initial appointment.
- Section 5. It will appoint auditor(s); internal and external to audit the accounts of the Association.
- Section 6. The Executive committee shall meet at least, four times a year to review the affairs and plan the activities of the Association. The proceedings of such meetings will be minuted and maintained for audit purposes.
- Section 7. Any office bearer of the Executive committee who absents himself/herself for no valid reason for two consecutive meetings, shall cease to be a member of the Executive committee.
- Section 8. The Executive Committee may hold its meetings at such place and time as it may determine from time to time, and may include modern telecommunication systems.
- Section 9. Notice of the Executive Committee Meetings to it's Officers will be served by the President or the Secretary no less than three working days prior to the meeting.
- Section 10. The quorum for the Executive Meeting will consist of three Officers.
- Section 11. The Ex-Officio members may participate in the discussion of the Executive Committee Meetings but will not be eligible to cast vote.
- Section 12. No two members from the same household will become the Officers during a given term.

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Section 13. The members of the outgoing Executive Committee shall not contest for the same office for the second consecutive term.

Section 14. The term of the Officers shall not exceed two years.

Section 15. If the Elections are not held within 24 months of the installation of the Officers, the Executive Committee shall be dissolved by the Trustees. The Trustees will conduct the affairs of the Association and call an election within 30 days of the dissolution of the Executive Committee.

ARTICLE 9. AUTHORITY AND RESPONSIBILITIES OF THE OFFICERS

Section 1. The President shall:

9.1.i. preside over the meetings of the Association and look after the proper functioning of the Association

9.1.ii. consult the Resident Aalim in all matters of religion

9.1.iii. be an ex-officio or appoint a delegate on the Board of Trustees and other Major Committees.

~~The Vice-President shall:~~

~~act as the President in the performance of his/her duties and shall act in his/her place during the latter's absence.~~

Section 3. The Secretary shall:

9.3.i. be responsible for the day to day administration of the Association and maintenance of all correspondence, records and along with the Treasurer the property of the Association.

9.3.ii. be responsible for the maintenance, adoption and circulation of the minutes of the meetings.

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9.3.iii. inform all the members of the General Body meeting, not less than two weeks before the scheduled day.

9.3.iv. ensure that the Constitution and the By-Laws will be kept up to date and be made available to all the members of The Association.

9.3.v. maintain the inventory of the Properties of the Association

9.3.vi. provide the Election Officer an up to date list of the Active Members, at least two weeks prior to the Election date.

9.3.vii. be responsible to submit the annual corporation return to the appropriate provincial authorities.

Section 4. The Coordinator shall:

9.4.i assist the Secretary in the performance of his/her duties and shall act in his/her place during the latter's absence.

9.4.ii. inform all the members of the time and location of all Congregations.

9.4.iii. make necessary arrangements for the Congregations.

Section 5. The Treasurer shall

9.5.i. administer the finances of the Association.

9.5.ii. maintain the account books, in proper order.

9.5.iii. maintain all entries supported by receipts and/or vouchers.

9.5.iv. present a Financial Statement at the annual General Body meeting.

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- 9.5.v. prepare a budget to be presented at the Annual Meeting of the General Body.

ARTICLE 10. BOARD OF TRUSTEES

- Section 1. The Board of Trustees, the members of which, here-in-after shall be known as Trustees shall, *in it's advisory/supervisory capacity*, monitor the affairs and the activities of The Association and shall take appropriate action at their own initiative to ensure that all activities and/or affairs are conducted according to the Shariah and within the framework of the Constitution of The Association. They will be the sole custodian of any/all movable or immovable property (ies) owned by the Association.
- Section 2. The term of the Board of the Trustees shall be five years, renewable for one more term; the total not exceeding ten years.
- Section 3. The total number of the Trustees shall not exceed five.
- Section 4. The Trustees shall have a Chair and a Secretary for a period of two years, renewable for a second term.
- Section 5. The Trustees shall prepare their Code of Conduct but within the Guidelines of the Constitution and the by-laws of the Association.

ARTICLE 11. TRUSTEES. A Trustee shall

- Section 1. be a Founding Member in good standing for ten years.
- Section 2. not serve simultaneously as an Officer or one of it's committee as a Active member.
- Section 3. be a person of high integrity, academic and / or professional background.
- Section 4. be a follower of Shia Ithna-Ashri and Fiqah-e-Jaffria faith.

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Section 5. not be convicted of a crime ~~and~~ or moral turpitude and shall not intentionally or openly violate ~~Sh~~ Shariah

Section 6. The vacancy of an elected Trustee, howsoever caused, shall be filled in by electing a replacement at the following Election Day by the General Body, for the remaining term of the outgoing Trustee.

ARTICLE 12. RESOLUTION OF DISPUTES:

Section 1. If the disputes related to the functioning of the Association can not be resolved at the Executive or Trustees level, a Grievance Committee shall be formed.

Section 2. Such Grievance Committee shall consist of 12 randomly selected member, ½ each from the Founding Members and from the General Body. The random selection of the Grievance Committee shall be scientifically valid.

Section 3. The decision of the Grievance Committee shall be binding on all parties.

ARTICLE 13. AUTHORITY and RESPONSIBILITIES of the TRUSTEES

The Trustees shall:

Section 1. oversee the affairs of the Association in an unbiased fashion and in accordance with the Shia Ithna-Ashri faith.

Section 2. receive all complaints and resolve those through mediation between the affected parties.

Section 3. promote communication, harmony and altruism among all members and their families regardless of the age, gender, language, ethnic background or any other cultural preferences.

Section 4. provide guidance to various committees and sub-committees.

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- Section 5. appoint a representative to attend all Executive Committee meetings as an ex-officio member.
- Section 6. shall liaise with the Executive for the Muharram Program
- Section 7. shall prepare strategic plans for the advancement of the Association.
- Section 8. recommend ways and means to implement the strategic plans as described in Section 7.
- Section 9. forward the proposed strategic plan (s) to the Executive Committee for review. Within ninety (90) days of forwarding the proposed plan, the Executive Committee shall complete its review of the proposed plan. Should it be necessary to obtain any clarifications, elaboration, expressions or amendments to the proposed plan, the Executive Committee shall consult the Trustees for their concurrence. However, the Trustees and the Executive Committee shall finalize the proposed plan within thirty (30) days of its reference.
- Section 10. ensure that proper records of the proceedings and affairs of the Association by the Executives are adequately maintained.
- Section 11. shall receive all the Internal and External Auditors' reports.

ARTICLE 14. MEETINGS

Section 1. The General Body meeting shall be held at least once every year, in the month of December for the following purposes:

- 14.1.i. to receive Secretary's report
- 14.1.ii. to receive annual accounts and
- 14.1.iii. to elect new Officers for the ensuing year
- 14.1.iv. appoint the Election Officer according to the term of the Executive Committee.

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Section 2. The ordinary general membership meeting may be held at any time at the call of the Executive or by written request to the Secretary by not less than one third of the Active members of the Association.

Section 3. All notices concerning the activities of the Association and for any ordinary meetings, date of the meeting and the notices for the Annual General Meeting and for the purpose of elections or for a vote of no confidence shall be sent by the Secretary, not less than two weeks before the meeting.

ARTICLE 15. QUORUM

Section 1. To alter any part of the Constitution or for a vote of no confidence, it shall be two third of the total Active members. For the purpose of elections and for ordinary meetings one half of the total Active members.

Section 2. In the event the quorum is not achieved in the first meeting, the members present in the subsequent meeting shall constitute the quorum with the exception of changes in the Constitution or a vote of no confidence where 2/3 of the Active members' participation would be required.

Section 3. The quorum for the Executive Committee and the Trustees meetings shall be at least, three members present.

ARTICLE 16. ELECTIONS

Section 1. The Candidate for the nomination to the Executive Committee shall be an Active member of the Association. The person(s) who propose and second the nomination shall also be an Active member(s) of the Association.

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Section 2. The voting for election of Executive Committee shall be by a secret ballot.

Section 3. No voting by proxy shall be permitted.

Section 4. Executive committee shall cast votes by show of hands

Section 5. The Secretary shall maintain record of voting.

ARTICLE 17. REVENUES

Section 1. The annual subscription for membership of the Association shall be determined on an Annual basis by the General Body and attached as Schedule A. For the current year, \$300.00 per year for the family (parents and children under the age of 18 years), \$100.00 for individual members and \$50.00 for students and senior citizens, payable in full at the time of joining the Association and every January thereafter. The membership contribution shall be maintained in a general membership account in a Bank.

Section 2. The subscription shall be allocated as follows:

- i) up to 60% for operating expenses
- ii) 20% in contingent account
- iii) minimum of 20% shall be transferred to capital trust account, maintained by the trustees.

Section 3. Monies received for specific projects shall be used only on the same specific projects.

Section 4. Monies received for unspecified projects shall be used on projects as approved by the General Body.

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ARTICLE 18. FINANCE

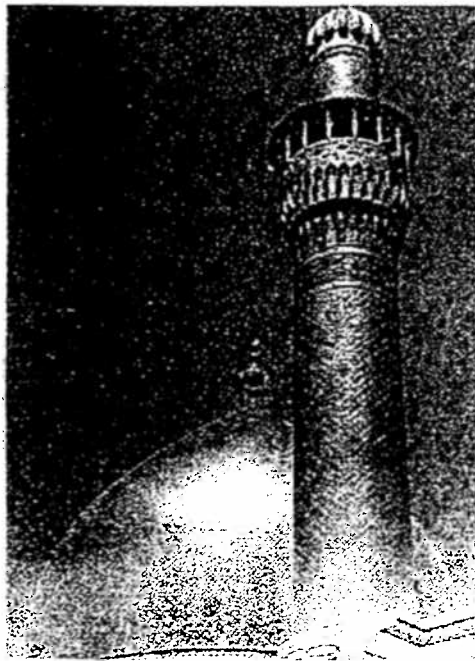
Section 1. The fiscal year of this Association shall begin on the first day of January each year.

Section 2. All accounts as per Article 12 and the Schedules shall be maintained in the name of the Association.

Section 3. All the cheques issued from the membership account shall be signed by the Treasurer and counter signed by either the President or the Secretary.

Section 4. All disbursements of funds from membership account shall be approved at the Executive Committee.

Section 5. In case of the inability of persons designated to sign cheques or perform their functions, the Executive Committee shall designate a temporary substitute, until the next General body meeting.



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