

NIGERIAN
CANADIAN
MUSLIM
ASSOCIATION

(ANSAR -UL- ISLAM)

CONSTITUTION AND BY-LAWS

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ARTICLE 1: NAME

The Association shall be a non-profit organization and shall be called “NIGERIAN CANADIAN MUSLIM ASSOCIATION” (ANSAR – UL – ISLAM), (hereinafter referred to as the N.C.M.A or the Association), subject to the terms and provisions of this By-Laws.

ARTICLE 2: MAIN GOAL

The main goal of the N.C.M.A is to serve the best interest of Muslims according to the Holy Qur’an and Sunnah of the Holy Prophet Muhammad (peace and blessings of Allah be upon Him) and to render all the decisions of the Association, Board of Directors and Executive Council in accordance with the traditions and principles of Islamic belief.

ARTICLE 3: AIMS AND OBJECTIVES

3.1 To preach, promote and advance the spiritual teaching of Islamic faith by practicing the religious rites, tenets and doctrines of Islam. Towards achieving these objectives, the N.C.M.A shall;

- a. Maintain Missions and Missionaries to propagate the Islamic faith;
- b. Buy, sell, build, own, and let properties in furtherance of the aims and objectives of the Association;
- c. Have the power to accept donations, gifts, legacies and bequests from individuals, groups, governments and the general public;
- d. Support charitable and humanitarian causes (**See Article 13**)

3.2 Not to affiliate with, support or denounce any political organization(s) in Canada, Nigeria or elsewhere.

3.3 To do every lawful thing that is incidental to the attainment of the above Aims and Objectives.

ARTICLE 4: THE GENERAL ASSEMBLY

4.1 Definition

The General Assembly of the Association shall consist of all its registered members. A registered member is one who fulfils all the conditions of membership as specified in **Article 5**.

4.2 Powers

The General Assembly shall have the power to;

- a. Elect the members of the Executive Council;
- b. Remove any elected member of the Board and the Executive Council by 2/3 majority of members in good standing present at a duly constituted meeting as specified in **Article 8** of this Constitution and By-Laws;
- c. Reserve the right to overturn the decisions and policies of the Board and the Executive Council by 2/3 majority of members in good standing present at a duly constituted meeting as specified in **Article 8** of this Constitution and By-Laws;
- d. Approve any amendments to the Constitution and By-Laws of the Association in accordance with **Article 28** of this Constitution and By-Laws;
- e. Call for the dissolution of the Association if at a General meeting of its members, it passes a resolution for dissolution, and the resolution is confirmed by 2/3 of the members of the Association in good standing (see **Article 30.1**).

ARTICLE 5: MEMBERSHIP

Definition of a Registered Member and a Member in Good Standing

- a. A registered member is a person whose name appears on the official record kept by the General Secretary of the Association
- b. A Member in Good Standing is a person who has met the following conditions;
 - i. Someone who is a registered member;
 - ii. Someone who is up to date in the payment of his/ her monthly dues, which must not be less than 6 (six) months' contribution prior to the date of election;
 - iii. For the purpose of voting under **Article 8.2**, only a person who has met conditions (i) and (ii) above, at least 7 calendar days immediately preceding the election and/ or decision-making process has the right to vote

5.1 Conditions of Membership

Membership of the Association shall be opened to all Muslims who satisfy the following conditions;

- 5.1.1 Accept the Qur'an and *Sunnah* of the Holy Prophet Muhammad (peace and blessings of Allah be upon Him) as a complete way of life.
- 5.1.2 Regularly offer the five daily prayers in accordance with the commandments of Allah and the Holy Prophet Muhammad (peace and blessings of Allah be upon Him); and shall try his/her best to be regular in offering the Tahajud (pre-dawn supererogatory prayers) and invoking *Darood* (blessings) on the Holy Prophet Muhammad (peace and blessings of Allah be upon Him); and shall make it his/her daily routine to ask forgiveness for his/her sins, remember the bounties of Allah and praise and glorify Him.
- 5.1.3 Remain faithful to Allah in all circumstances of life, in sorrow and happiness, adversity and prosperity, in felicity and trial; and shall in all conditions remain resigned to the decree of Allah and keep himself/herself ready to face all kinds of indignities and sufferings in His way, and shall never turn away from it at the onslaught of any misfortune; but shall on the contrary, march forward.
- 5.1.4 Refrain from following un-Islamic customs and lustful inclinations, and shall completely submit himself/herself to the authority of the Holy Qur'an; and make the Word of Allah and the Sayings of the Holy Prophet Muhammad (peace and blessings of Allah be upon Him) be the guiding principle in every walk of his/her life
- 5.1.5 That he/she shall keep himself/herself occupied in the service of Allah's creatures for His sake only; and shall endeavour to benefit mankind to the best of his/her abilities
- 5.1.6 Pay voluntary monthly contribution.

ARTICLE 6: MEMBERSHIP DEVELOPMENT

It is a joint responsibility of the Board of Directors and the Executive Council in particular and the Jamaat in general to attract new members to the Association and retain the existing ones. The Public Relations Officer shall, on a daily basis, have a direct responsibility of carrying out this task under the Association's guidelines.

6.1 Focus of Membership Development

- 6.1.1 To increase the number of members
- 6.1.2 To foster relationship among members
- 6.1.3 To reach out and encourage other Muslims, especially Nigerians, to join the Association

6.1.4 To create and promote massive and consistent public awareness towards attracting potential members.

6.2 Registration and New Membership Package

All new members shall be duly registered and included in the membership list maintained by the General Secretary. All new members shall be given a Membership Package, which shall consist of, but not limited to:

- A copy of the Association's Constitution and By-Laws
- Baiat (Registration Form) – which must be completed, signed and returned to the General Secretary
- A Voluntary Monthly Donation card
- A copy of the Assalat prayer booklet
- A copy of the Assalat prayer audio Cassette/ CD/ DVD

ARTICLE 7: GENERAL AND EMERGENCY MEETINGS

7.1 The General Meeting of the Association shall take place twice a year

7.2 The Board Meeting shall take place twice a year

7.3 The Executive Council Meeting shall take place at least once a month

7.4 The General Secretary shall call the meeting by notifying members of the association of the date, venue, time and the agenda of the meeting, at least two weeks prior to the date of the meeting.

7.5 Emergency meetings can be called by the Executive Council

7.6 The General Secretary shall render reports of activities undertaken subsequent to the last general meeting to the General Assembly. The reports should include, among others, summary of various committees' reports. The Chairman of each committee should render details of his/her committee report, if such has not been given in previous meeting(s).

ARTICLE 8: QUORUM OF MEETINGS, VOTING AND PROXY

8.1 QUORUM

- a. The quorum for the general meetings shall be a simple majority of the registered members of the Association.
- b. The quorum for emergency meetings shall be one-third (1/3) of the registered members of the Association.

8.2 VOTING

Only MEMBERS IN GOOD STANDING is eligible to VOTE and/or PARTAKE in the decision-making processes.

8.3 PROXY

- a. Any member of the Board who is unable to attend a meeting cannot appoint a proxy.
- b. No member of the Executive Council can appoint a proxy to represent him/her at any of its meetings
- c. No member of the Association can appoint a proxy to represent him/her at the general meeting

ARTICLE 9: THE ORGANIZATIONAL CHART

The organizational chart of the N.C.M.A. has three levels:

- The Board of Directors
- The Executive Council
- The Committees

* **All members of the Board of Directors and the Executive Council MUST have a basic knowledge and understanding of Islam**

9.1 THE BOARD OF DIRECTORS

- 1 The Board of Directors, (hereinafter called “the Board”), shall consist the following;
 - The President
 - A member of the Council of Imams
 - The Ex-Officio Member (who can only be the immediate past Chairman of the Association and shall serve as an Adviser) and
 - 2 non-office holding registered members of the General Assembly nominated by the general assembly, with the qualities stated in **Article 25.4**
- 2 Only one of the two nominated members can be the Chairman of the Board.
- 3 The Board is the highest decision- making body of the Association.
- 4 The Board shall be directly responsible for the Association’s mistake or otherwise.
- 5 Any elected Board member wishing to resign must submit a letter of resignation to the General Secretary at least a month prior to the effective date.

- 6 The General Secretary must present such officer's resignation to the Board for deliberation and acceptance or otherwise.
- 7 The Board is empowered to appoint an interim officer to fill the vacancy created by the resigned board member pending the election or appointment of a replacement.

9.2 THE EXECUTIVE COUNCIL

The Executive Council of the Association shall consist the following;

- President
- Vice President
- General Secretary
- Assistant General Secretary
- Financial Secretary
- Assistant Financial Secretary
- Treasurer
- Social Secretary
- Welfare Officer
- Women Affairs Officer
- Internal Auditor/ Chief Whip
- Youth Coordinator
- Public Relations Officer

9.3 COMMITTEES

The following ten (10) Committees shall constitute the third structure of the Association's administration:

- Shura Council
- Elders Committee
- Welfare Committee
- Finance Committee
- Building and Fund-Raising Committee

- Social Committee
- Audit Committee
- Women Affairs Committee
- Youth Affairs Committee
- Public Relations Committee

ARTICLE 10: JOB FUNCTIONS OF THE 13 EXECUTIVE MEMBERS

10.1 PRESIDENT

- 1 Shall be responsible to the Board of Directors
- 2 Shall serve as the Association’s Chief Executive Officer, bear all the responsibilities and enjoy all the privileges attached to the office
- 3 Shall provide leadership to the Executive in the formulation of policies for the Association
- 4 Shall coordinate the activities of all members, officers and the various Committees towards fulfilling the aims and objectives of the Association
- 5 Shall preside over the general and special meetings of the General Assembly
- 6 Shall serve as a signatory to the Association’s bank account and issuance of cheques
- 7 Shall vet, confirm and serve as a signatory to all the Association’s legal documents as approved by the Executive and/or the Board

10.2 THE VICE PRESIDENT

- 1 Shall be responsible to the Association’s President in performing his/her job functions
- 2 Shall assist the President in the discharge of his/her functions
- 3 Shall act in the absence of the President
- 4 Shall serve as the Chairperson of the Building and Fundraising Committee and give periodic reports of the activities of the Committee directly to the Executive Council
- 5 Shall be a signatory to the Association’s bank account

10.3 GENERAL SECRETARY

1. Shall be responsible for organizing meetings of the Board, the Executive Council, the General and Emergency meetings of the Association
2. Shall record, prepare and distribute minutes of all the meetings of the Board, the Executive Council and the General and Emergency meetings of the Association
3. Shall prepare notifications and agenda for all the meetings of the Association, with the approval of the Executive Council
4. Shall maintain an up-to-date official membership register of the Association
5. Shall be responsible for the Association’s legal correspondence, including letters, documents, files etc.

6. Shall be a signatory to the Association's bank account
7. Shall maintain an up-to-date inventory records of all the Association's physical assets
8. Shall maintain an archive of records and history of the Association
9. Shall be the Custodian and the Controller of the Association's Common Seal
10. Shall perform other related duties as assigned by the Board and the executive from time to time.

10.4 ASSISTANT GENERAL SECRETARY

1. Shall be responsible to the General Secretary
2. Shall assist the General Secretary in the discharge of his/her functions

10.5 FINANCIAL SECRETARY

1. Shall be responsible to the Executive Council
2. Shall have some accounting background
3. Shall operate a budgetary control system for the Association
4. Shall be responsible for recommending the financial policies of the Association through the Executive Council to the Board of Directors
5. Shall maintain a petty cash imprest account to a maximum amount of \$500 for expenses and reimbursement of day-to-day needs of the Association
6. Shall collect and receive all funds for deposit from subscriptions, special events, and all other monetary transactions from members, donors, governments and all other bodies
7. Shall prepare financial statements every quarter, and a comprehensive annual financial report
8. Shall develop and implement internal policies for the approval of requisitions, quotations, purchase orders, receipts, invoices, vouchers and payments

10.6 ASSISTANT FINANCIAL SECRETARY

1. Shall be responsible to the Financial Secretary
2. Shall assist the Financial Secretary in the discharge of his/her functions

10.7 TREASURER

1. Shall be responsible to the Executive Council
2. Shall be responsible for all the banking activities of the Association (deposits, withdrawals, correspondence, etc) with the bank
3. Shall ensure that all funds received on behalf of the Association are deposited into the Association's bank account within two (2) business days
4. Shall ensure that all authorized disbursements are honoured promptly
5. Shall be a signatory to the Association's bank account
6. Shall ensure proper documentation of all monies received on behalf of the Association
7. Shall prepare monthly bank reconciliation statements and follow up all reconciled items with the bank
8. Shall perform other related duties as assigned by the Board of Directors from time to time

10.8 SOCIAL SECRETARY

1. Shall be responsible to the Executive Council
2. Shall develop a yearly Calendar of Social Events in conjunction with other Committees of the Association to guide the Association's social activities
3. Shall be responsible for organizing the Association's social events, including location search, preparation, transportation, ushering and hosting of visitors
4. Shall, in conjunction with other relevant committees of the Association, develop annual budgets for all social events of the year
5. Shall, in conjunction with other committees of the Association, supervise all arrangements for the celebration of religious festivals and social gatherings such as parties, trips, sports and visitors' programs,
6. Shall assist all other committees, especially the Mission Board/Education Committee, with the coordination of all social services and issues, including weddings, funerals and naming ceremonies.
7. Shall submit a full written report of social activities including a financial statement to the Executive Council.

10.9 WELFARE OFFICER

1. Shall be responsible to the Executive Council
2. Shall see to the upkeep and maintenance of the physical assets and property of the Association
3. Shall, in conjunction with the Finance Officer, ensure prompt payment of all utility bills such as hydro, telephone, water, electric etc.,
4. Shall arrange for prompt snow removal (during winter), and weed and grass clearing (during summer and spring)
5. Shall oversee the general cleaning and upkeep of the Association's properties and prompt garbage removal all year round
6. Shall ensure effective traffic control and parking enforcement during all Association's activities, be it general, special or seasonal
7. Shall assist in welcoming and integrating new members into the Association.
8. Shall supervise the Masjid Caretaker who shall be a paid officer of the Association and whose job functions shall be determined by the Executive Council from time to time.

10.10 WOMEN AFFAIRS OFFICER

1. Shall be responsible to the Executive Council
2. Shall promote Islamic education among female members of the Association
3. Shall organize symposia, seminars, workshops and other training programs relating to women issues and activities
4. Shall act as a vehicle for promoting discipline and orderliness among women during scheduled services and activities within the Masjid premises
5. Shall spearhead the recruitment of new female members for the Association and assist towards their absorption and orientation
6. Shall promote unity and peace among members, including conflicts resolution

7. Shall, in conjunction with Mission Board develop and promote outreach program towards motivating and encouraging old and new members of the Association

10.11 YOUTH COORDINATOR

1. Shall be responsible to the Executive Council
2. Shall be responsible for coordinating the activities of the youth wing of the Association
3. Shall operate a youth budget account to take care of youth activities and prepare and submit a monthly report to the Executive Council regarding this account
4. Shall liaise with other committees and produce an annual calendar of youth activities for the Association
5. Shall conduct regular outreach programs towards maintaining relationships with other youth and development bodies with the aim of networking, building community and community relations
6. Shall conduct and coordinate educational activities towards youth enlightenment in the Association
7. Shall seek to maintain competent teaching staff for the Association's youths and sustain regular communication with both the teaching staff and students, while ensuring appropriate standard at all times
8. Shall recruit Counsellors from within and outside the Association, with diverse educational and life's experiences, to assist the youths in career and developmental activities
9. Shall motivate the youths through constant recognition of achievements/ attainments and institute inspiration awards and recognition ceremonies
10. Shall communicate with and provide regular feedbacks to parents on the state of their children's progress or otherwise
11. Shall provide educational, teaching and visual aid to the youth at all times
12. Shall seek to provide equipment and facilities for youths' physical, sporting and recreational activities, including maintaining equipment in operational conditions always
13. Shall provide and maintain a safe, neat, and conducive environment for youths to assemble within the Association and for outside activities

10.12 INTERNAL AUDITOR/CHIEF WHIP

1. Shall be responsible to the Board of Directors
2. Shall be an Accountant with some auditing experience
3. Shall be responsible for quarterly internal audit of the books of account, financial statements and operational activities of the Association
4. Shall, every 6 months, conduct a physical verification of all the Association's assets, compare the results of the verification with the Asset Register held by the general secretary and submit a report to the Board of Directors
5. Shall conduct a review of the Association's internal policies, processes and procedures and recommend improvement thereon
6. Shall prepare and submit audit reports to the Board of Directors at the end of each audit assignment
7. Shall serve as a Chief Whip over the activities and monitor the performance of the members of the Executive Council

10.13 PUBLIC RELATION OFFICER

1. Shall be responsible to the Executive Council
2. Shall be grounded in the art and science of Public Relations or any other relevant social sciences.
3. Shall work towards promoting and maintaining goodwill and understanding of the Association's policies and actions with the general public, which shall include, but not limited to;
 - The General Members of the Association
 - The immediate Community
 - Governments (at various levels)
 - Other Islamic Organizations
 - Vendors/ Service Providers
 - Press (Journalists etc)
 - Donors/ Sponsors (external and internal)
 - Financial Institutions (Banks etc).
 - New Immigrants to Canada
4. Shall prepare a yearly calendar of public relations activities to guide the Association towards its public relations expectations
5. Shall liaise with other committees of the Association to organize and plan events and activities
6. Shall prepare reports of its activities to the Executive Council in a timely manner
7. Shall conduct outreach programs towards recruiting and enrolling new members, including new immigrants to the Association
8. Shall utilize several communication tools, including Press Releases, Newsletters, Flyers, Stickers, etc, to reach out to the general public to maintain a 2-way flow communication with the Association

ARTICLE 11: THE 10 COMMITTEES AND THEIR JOB RESPONSIBILITIES

* No member of the association shall belong to more than two (2) Committees

11.1 SHURA COUNCIL (ISLAMIC CONSULTATIVE BODY)

11.1.1 CHAIRMANSHIP

The Amir shall be the Chairman of this committee and he shall be appointed by other members of Shura council.

11.1.2 SELECTION CRITERIA FOR MEMBERS

A member of this committee shall;

- a. Possess a significant knowledge of the Qur'an and the rules of recitation, the Hadith/Sunnah of the Holy Prophet Muhammad (peace and blessings of Allah be upon Him), Fiqh (ideally, he should be well versed in the Fiqh of at least one of the Madhabs-School of Thought)
- b. Have a working knowledge of English
- c. Be of estimable character and conduct himself by the teachings of the Qur'an and Sunnah
- d. Possess leadership qualities

11.1.3 MEMBERSHIP

Membership of this highly spiritual committee shall comprise the Amir, members of the Council of Imams and other regular members of the Association, who possess the qualities stated in **Article 11.1.2** (a) (b) (c) of the By-Laws

11.1.4 DUTIES AND RESPONSIBILITIES

- a. Shall act as the spiritual guides to the Association, utilizing the Holy Qur'an and the Sunnah of the Holy Prophet Muhammad (peace and blessings of Allah be upon Him)
- b. Shall establish subgroups like Da'wah and Education sub-committee and co-ordinate their activities
- c. Shall coordinate the collective daily, Friday and Eid prayers, as well as other special prayers for Islamic occasions and functions

- d. Shall be the advisory body to the Association on all religious matters
- e. Shall advise the Board and the Executive Council on acts having religious implications
- f. Shall develop a yearly calendar of Islamic events
- g. Shall organize and supervise all educational programmes of the Association, such as Islamic studies, seminars, lectures, Qur'anic studies etc
- h. Shall establish and coordinate sub-committees to help achieve its objectives
- i. Shall work closely with the Board and the Executive Council to provide overall Islamic leadership to the organization towards fostering members' spiritual growth
- j. Shall perform its deliberations using authentic Islamic sources (the Quran and Sunnah) in conformity with the Association's Constitution and By-Laws
- k. Shall formulate, standardize and coordinate activities of the the Mission Board such as the weekly Assalatu, Fiqh forums, Seerah, Islamic Quiz competitions, seminars, conferences, symposia etc.
- l. Shall standardize and coordinate ceremonies and occasional events such as Qiyamul Lail (Special Prayers), Friday Juma'ah prayers, Eid Celebrations, Aqeeqah (Naming Ceremony), Nikah (Wedding Ceremony), Jannaza (Funeral prayers), etc.
- m. Shall liaise with other committees of the Association in the recruitment of and outreach programs to new immigrants and non-Muslims towards increasing the Association's membership base
- n. Shall recommend a qualified Imam to the general membership of the Association if and when the Board decides that it is feasible to have one, in replacement of the currently existing Council of Imams

11.1.5 REPORTING RESPONSIBILITY

The committee shall report directly to the Board

11.1.6 COMPENSATION

The Council of Imams shall be compensated in accordance with a compensation policy approved by the Board of Directors upon recommendation of the Executive Council

11.2 ELDERS COMMITTEE

11.2.1 CHAIRMANSHIP

The Chairperson of this Committee shall be appointed by the members of this Committee

11.2.2 MEMBERSHIP

Membership of this Committee shall not exceed 5 (five) in number and is voluntary and open to all registered members of the Association.

11.2.3 DUTIES AND RESPONSIBILITIES

The Committee's main duty is to maintain amity/peace within the Association which includes disputes resolution among individual members, families and groups within the Association.

11.2.4 REPORTING RESPONSIBILITY

The Chairperson of the Committee reports directly to the Executive Council

11.3 WELFARE COMMITTEE

11.3.1 CHAIRMANSHIP

The Welfare Officer shall be the Chairperson for this Committee

11.3.2 MEMBERSHIP

Membership of this Committee shall be voluntary and open to all registered members of the Association.

11.3.3 DUTIES AND RESPONSIBILITIES

The committee shall assist the Welfare Officer in the discharge of his/her job functions as provided in the Constitution and By-Laws.

11.3.4 REPORTING RESPONSIBILITY

The Chairperson of the Committee reports directly to the Executive Council.

11.4 FINANCE COMMITTEE

11.4.1 CHAIRMANSHIP

The Financial Secretary of the Association shall be the Chairperson for this committee

11.4.2 MEMBERSHIP

The membership of this committee shall be and MUST include the Treasurer and the Assistant Financial Secretary together with other registered members of the Association who are free to join voluntarily

11.4.3 DUTIES AND RESPONSIBILITIES

The committee shall assist the Financial Secretary in the discharge of his/her job functions as provided in the Constitution and By-Laws.

11.4.4 REPORTING RESPONSIBILITY

The Chairperson of the committee shall report directly to the Executive Council

11.5 BUILDING AND FUND RAISING COMMITTEE

11.5.1 CHAIRMANSHIP

The Vice President of the Association shall be the Chairperson for this committee.

11.5.2 MEMBERSHIP

Membership of this committee shall be and MUST include the Association's Treasurer and the Financial Secretary together with other registered members of the Association who may volunteer to be members.

11.5.3 DUTIES AND RESPONSIBILITIES

To assist in raising money for the execution of various project of the Association

11.5.4 REPORTING RESPONSIBILITY

The Chairperson of the committee shall report directly to the Executive Council

11.6 SOCIAL COMMITTEE

11.6.1 CHAIRMANSHIP

The Social Secretary shall be the Chairperson for this Committee.

11.6.2 MEMBERSHIP

Membership of this committee shall be voluntary and open to all registered members of the Association

11.6.3 DUTIES AND RESPONSIBILITIES

The committee shall assist the Social Secretary in the discharge of his/her job functions as provided in the Constitution and By-Laws.

11.6.4 REPORTING RESPONSIBILITY

The Chairperson of the committee shall report directly to the Executive Council

11.7 AUDIT COMMITTEE

11.7.1 CHAIRMANSHIP

Members of this committee shall appoint the Chairperson for this committee

11.7.2 MEMBERSHIP

- a. The General Assembly of the Association shall NOMINATE members of this committee
- b. The criteria for membership shall include but not limited to upright character and consistency of membership of the Association.
- c. Membership of this committee shall always be five (5) in number whose tenure shall be two (2) years only. Individual members of the committee can be reappointed.
- d. The committee shall be INDEPENDENT, with neither executive powers nor executive presence (no CURRENT Board or Executive member of the Association can be a member of this committee)

11.7.3 DUTIES AND RESPONSIBILITIES

- i. Shall audit all reports, financial and otherwise
- ii. Shall recommend improvement to policies and procedures of the Association

11.7.4 REPORTING RESPONSIBILITY

The Chairperson of the committee shall report directly to the Board of Directors

11.8 WOMEN AFFAIRS COMMITTEE

11.8.1 CHAIRMANSHIP

The Women Affairs Officer, (who MUST be a female member of the Association due to pre-zoning), shall be the Chairperson for the committee.

11.8.2 MEMBERSHIP

Membership of the committee shall be voluntary and open to all registered female members of the Association.

11.8.3 DUTIES AND RESPONSIBILITIES

The committee shall assist the Women Affairs Officer in the discharge of her job functions as provided in the Constitution and By-Laws.

11.8.4 REPORTING RESPONSIBILITY

The Chairperson of the committee shall report directly to the Executive Council.

11.9 YOUTH COMMITTEE

11.9. CHAIRMANSHIP

The Youth Coordinator of the Association shall be the Chairperson for this committee

11.9.2 MEMBERSHIP

Membership of this committee shall be voluntary and open to all registered members of the Association

11.9.3 DUTIES AND RESPONSIBILITIES

The committee shall assist the Youth Coordinator in the discharge of his/her job functions, as provided in the Constitution and By-Laws.

11.9.4 REPORTING RESPONSIBILITY

The Chairperson of the committee shall report directly to the Executive Council

11.10 PUBLIC RELATIONS COMMITTEE

11.10.1 CHAIRMANSHIP

The Public Relations Officer of the Association shall be the chairperson of this committee.

11.10.2 MEMBERSHIP

Membership of this committee shall be voluntary and open to all registered members of the Association.

11.10.3 DUTIES AND RESPONSIBILITIES

- a. The committee shall assist the Public Relations Officer in the discharge of his her job functions as provided in the Constitution and By-Laws.
- b. As part of the Association's Public Relations policy towards its members, the committee shall maintain a comprehensive membership list (name, address, e-mail address, home and cell phone number, etc.) to ensure regular contact and follow-up with members

11.10.4 REPORTING RESPONSIBILITY

The Chairperson of the committee shall report directly to the Executive Council.

ARTICLE 12: BANKING AND FINANCE

12.1 Signing Authority

1. The following four (4) officers shall have the authority to operate the Association's bank account, banking papers, contracts, deeds, cheques and other legal documents:
 - The President - "A" Signatory
 - The Vice President - "A" Signatory
 - The General Secretary - "B" Signatory
 - The Treasurer - "B" Signatory
2. At any point in time, ANY "A" and "B" signatory shall be considered sufficient to endorse any of the above-listed documents and legal tender;
3. No class of signatory shall have the authority to sign a cheque for an amount exceeding the sum of Five thousand dollars (\$5000:00) without the Board's approval.

12.2 Banker

The TD Canada Trust Bank shall be the Association's bankers, or any other such banking institution as the Board of Directors shall designate from time to time.

12.3 Bank Deposit

- 1 The Financial Secretary must count all money/cash donations collected during the weekly Association's meetings and all other events. The amount collected should be recorded and handed over to the Treasurer for deposit at the bank. The Treasurer must verify such amount collected from the Financial Secretary, reconcile the amount with the Financial Secretary, record the amount in the account books and both of them shall initial the documentation.
2. All collections, bequests, cash or other negotiable instruments collected on behalf of the Association must be deposited at the bank within two (2) business days of the collection
- 3 Evidence of deposit must bear the signature, stamp and verification of the banking institution where it is deposited. All vouchers, cheques, signed books from the bank as well as statements must be verified and kept under the custody of the Financial Secretary, and must be available for audit trail purposes.
4. All cheques, bills of exchange, including cash and other negotiable instruments or other evidence of indebtedness issued in the name of the Association, shall be signed by the designated officer approved by the Board of Directors.

12.4 Contracts and Purchases

1. Production of materials, contracts for maintenance of the Masjid or other purchases must be through bidding.
2. There should be AT LEAST two (2) quotations submitted for any contract or purchase above Four Hundred and Ninety-nine dollars (\$499.00).The award of such contract(s) / purchase(s) should go to the best quality bidder.
3. All bids/quotations should be submitted to the General Secretary for presentation to the Executive Council for deliberation and decision-making processes.
4. The Executive Council shall have the final say on decisions regarding the winner of the bids.
5. Adequate knowledge should be sought on the subject matter of the contract before decision is made.
6. The subject of adequate knowledge should be the prerogative of those charged with the responsibility to carry out decisions on these matters and should be exercised with the fear of Allah.

ARTICLE 13: CHARITABLE AND HUMANITARIAN CAUSES

The Executive shall decide at its meeting after due deliberations on the form of assistance, that is, monetary or otherwise, and the amount to be given out and how to raise the finances for such project. The projects shall include but not limited to the following;

1. Provide general counselling functions in matters including but not limited to family, marriage, financial and employment matters;

2. Render assistance to Muslims and Newcomers to enable them settle down and integrate more quickly into the Canadian way of life through support counselling and referral services;
3. Provide skill acquisition training programs for newcomers to prepare them for the job market, as well as self employment preparation and access to micro-finance facilities;
4. Provide financial assistance/aid to immigrants and newcomers towards surviving the temporary moments of adversity and life's hardships which they may initially face;
5. Provide Islamic training programs that would help mobilize Muslims and convince non-Muslims of the beauty of the Islamic religion and tenets;
6. Reduce social isolation by creating opportunities through Islamic teachings, for community involvement, interaction and serve as platform of good networking;
7. Provide services to Muslims and new immigrants aimed at improving their self-esteem through direct community involvement, outreach, networking, symposia and other organized forums;
8. Provide moral and financial support to the family of the deceased, who can either be a member or non-member

ARTICLE 14: BUDGET

- 14.1. The fiscal year for the Association shall begin from January 1 to December 31 of the same year.
- 14.2. The Financial Secretary must consult with all the committees in the preparation and development of the annual budget for the Association.
- 14.3. The budget must be prepared once a year and should be presented to the General Assembly by the end of January of the new fiscal year.

ARTICLE 15: ACCOUNTANT/TAX CONSULTANT

The Association shall retain the services of an Accountant/Tax Consultant for the:

- 15.1. Preparation of financial statements
- 15.2. Preparation and filing of the yearly tax returns
- 15.3. Disposal of all queries from tax authorities arising from the submitted annual tax returns

ARTICLE 16: EXTERNAL AUDITOR

The Association shall retain the services of an External Auditor for the purpose of auditing the yearly financial statement of the Association.

ARTICLE 17: LEGAL MATTERS

NCMA shall retain the services of a lawyer to help take care of legal matters. While the President and the General Secretary shall be the Association's contacts with the lawyer, the General Secretary shall have the duty of maintaining regular liaison for operational purpose.

ARTICLE 18: COMMON SEAL

- 18.1. The Common Seal of the Association shall be kept in the custody and control of the General Secretary.
- 18.2. When required, the Common Seal will be affixed to any document following a resolution of the Association and will be signed by the President and Secretary.

ARTICLE 19: INDEMNITY

- 19.1. No Officer or member of the Board or the Executive Council shall be liable for the acts or defaults of any other Officer or member of the Board or Executive for any loss occasioned thereby, unless occasioned by their wilful default or by their wilful acquiescence.
- 19.2. Any Officers or member of the Board or the Executive Council shall be indemnified by the Association for all liabilities and costs incurred by him/her in the proper performance of his/her functions and duties, other than as a result of their wilful default.

ARTICLE 20: RIGHT TO ASSOCIATE

The right to associate and form sub-groups/ associations under the umbrella of the N.C.M.A is allowed and encouraged under this Constitution and By-Laws, in so far as the groups so formed meet the following criteria:

- 20.1. The activities or programs of the sub-group or association must not jeopardize the interests of N.C.M.A in particular and Islam in general
- 20.2. The objectives of the sub-group or association shall not be in conflict with those of the parent body, the N.C.M.A, and shall actually complement the efforts of the N.C.M.A towards uplifting the cause of Islam
- 20.3. In a situation where there is a conflict, the N.C.M.A's overall interests and objectives shall supersede any views, opinions or objections of any of its sub-groups or associations.
- 20.4. Examples of sub-groups and associations under this guideline include the Ansar-ul-Islam Youth Movement, N.C.M.A Islamic Singers etc

ARTICLE 21: OATH OF OFFICE OF ELECTED OFFICERS

- 21.1. The Amir shall bless every elected member of the Board, the Executive Council and the Committees as part of their swearing-in ceremony to their respective offices
- 21.2. The elected officers shall declare to;
 - a. Uphold the five pillars of Islam
 - b. Pledge total loyalty to the cause of the Association and uphold its values, objectives and orientation as enshrined in its Constitution and By-Laws
 - c. Promote membership development
 - d. Not engage in any activity that could jeopardize the interests of Islam and that of the Association

ARTICLE 22: PROCEEDINGS OF THE ASSALAT

The Amir and members of the Shura Council shall have the exclusive responsibility of providing the details of the Assalat proceedings in accordance with the teachings of Islam. Essentially, the proceedings should serve to spiritually motivate and uplift members of the Association.

ARTICLE 23: GENERAL GUIDELINES OF REPORTING

- 23.1. All activities/ events organized/ undertaken shall be reported to the general assembly
- 23.2. All committees responsible for organizing events shall give formal report of the events to the Executive within 28 days from the day the event is completed
- 23.3. The report shall include the following, among others:
 - a. What event was undertaken?
 - b. Date, time, purpose of the event
 - c. Statement of expenditure and income generated

- d. Success or otherwise of the event
 - e. What problems were faced, or the advantages/benefits gained
 - f. Where there are problems, what could be done to improve such event in the future?
 - g. Where the event was successful, what contributed to the success and how such can be maintained for future events?
- 23.4. The Executive Council shall within 15 days of the receipt of the report present it to the general assembly either orally, in printed form or whatever means it deems fit

ARTICLE 24: GENERAL ADMINISTRATION GUIDELINES

- 24.1 There shall be 4 signatories to the Association account (see Article 12.1)
- 24.2 The Amir is the spiritual head of the Association (see Article 11.1) He shall guide the Association on all religious matters.
- 24.3 All officers, as represented in the Board, the Executive Council and the Committees, shall retain their individual responsibilities while working with others as members of a team for the overall success of the Association
- 24.4 Prior to decision making at the Board, Executive Council and Committee levels, members shall engage in extensive debates and consultations with a view to giving all sides to an issue enough representation and opportunities to contribute
- 24.5 Very sensitive matters including, but not limited to budget approvals and management of expenditure shall be left for discussion at the Board level
- 24.6 Decision at the Executive Council level may be subject to review and final approval at the Board level
- 24.7 Each Committee shall deliberate on matters relating to its specific portfolios and assignments only
- 24.8 All officers shall adhere to collective decision made at the Board, Executive Council or Committee levels. Any violation of the guideline on matters that affect the entire Association, or any deviation from the agreed and/or approved course of action or procedure shall attract serious disciplinary action
- 24.9 Under no circumstances shall any kind of engagement, social or otherwise be allowed to interfere with the proceedings of Salat, Assalat, Dhikri, Tahajud or any of the functionalities of the 5 pillars of Islam

ARTICLE 25: ELECTION PROCEDURE GENERAL ELECTION

25.1. GUIDELINES

Available positions are:

EXECUTIVE COUNCIL: (13 positions)

President
Vice President
General Secretary
Assistant General Secretary
Financial Secretary
Assistant Financial Secretary
Treasurer
Social Secretary
Welfare Officer
Women Affairs Officer
Internal Auditor/Chief Whip
Youth Coordinator
Public Relations Officer

- a. The positions of members of the Board of Directors as well as the Executive Council shall be available for contest every **3 years**, at the end of the elected officer's term of office. Any officer in these positions may make himself/herself available for re-election for the same or any other office as many times as he/she considers himself/herself capable under the guidelines as stipulated in this Constitution and By-Laws
- b. Except the Shura Council and the Audit Committee, all committees stand dissolved at the end of the three-year term concurrent with the Executive Council. **The Shura Council is a permanent group that guides the spiritual affairs of the Association**, and is not created for nomination by any particular Board or Executive. **The Audit Committee is an independent group nominated by the General Assembly and has tenure of only 2 years.**
- c. The position of the Ex-Officio member of the Board can be held only by the immediate past President of the Association. If that past officer is not available for any reason(s), then the position shall be replaced by a non- office holding registered member of the association

25.2 IMPORTANT PREPARATORY STEPS

1. The incumbent General Secretary shall follow the process here mentioned to get new Officers of the Association elected

2. The General Secretary shall give notice to the current members of the Executive Council 90 days before the end of their term of office
3. This notice to the members of the Executive Council must be fully documented, either in writing or through recorded minutes of the meeting of the Executive Council
4. All incumbent Officers so informed must acknowledge receipt of the notice by endorsing a copy of the document
5. The General Secretary must give notice to the General Assembly 60 days before the end of the term of the current members of the Board and the Executive Council
6. The Board must thereafter constitute an Electoral Commission for the purposes of the general election.
7. A member of the Electoral Commission must neither be a current officer of the Board or the Executive Council, nor be a contestant in the election in which he/she is to preside over or participate in as an Umpire
8. The Electoral Commission shall consist of not more than five (5) members and must include at least one member of the Shura Council.
9. The Electoral Commission must make available to voters through constant announcements, all the rules guiding the elections as well as election processes
10. The Electoral Commission must ensure the participation of all the eligible voters as per the guidelines of the election
11. The Electoral Commission stands dissolved once the election in which they preside over is completed and all matters relating to the election are resolved.

25.3. ELECTORAL COMMISSION

1. The Electoral Commission must be odd in number
2. The Electoral Commission shall determine the date of the election
3. The Electoral Commission shall also announce the available positions, duties and functions of each office
4. The Electoral Commission shall provide official ballot papers on the day of the election
5. The Electoral Commission must provide voting booth(s) on the day of the election
6. Members of the Electoral Commission must not cast a vote unless to break a tie
7. The Electoral Commission shall have the responsibility to clarify the criteria and screen the candidates for the election into the Executive Council

8. The Electoral Commission reserves the right to revoke the nomination of any member who does not meet the requirement listed in Article **25 sub-section (4)**

25.4. CRITERIA FOR NOMINATION

Every person contesting for any post must be;

1. At least, 21 years of age and above;
2. Shall be of upright character and uphold the teaching of Islam
3. A financial member of the Association, in good standing (**Article 5.1b**), and must have fully paid his/ her monthly pledge for the last 6 calendar months immediately preceding the election date;
4. Available to attend meetings and activities that will enhance the progress of the Association, and;
5. Two members of the same nuclear family shall not be nominated for, or contest for assistanceship of the following strategic offices:
 - President
 - Treasurer
 - Financial Secretary
 - Auditor/Chief Whip

25.5 PROCESS OF NOMINATION

1. A contestant for any office could either nominates self or be nominated by another member. If a person is nominated for two or more positions, the position preferred by that person shall prevail
2. An unopposed contestant for a position shall be considered the automatic winner of that position under these rules and guidelines
3. The Electoral Commission must solicit nominations from the general membership of the Association and all notices of nominations must reach the Commission three weeks (21 days) beginning from the day of solicitation, after which, nomination is deemed closed
4. Elections shall be held exactly 4 weeks after close of nominations
5. In the event of any positions not having nominations, the Electoral Commission shall exercise its powers granted by this Constitution and By-Laws to extend the date for nomination for that position until a nomination in respect thereof is received; the Electoral Commission shall thereafter follow the normal election process to fill the post
6. Names of nominees must be kept with the Electoral Commission for the period of election process and must be recorded in the Electoral Register

7. Standard nomination forms shall be the only acceptable means of nominating contestants, and should be readily available to all members who wish to exercise their rights in this process
8. Only members who are in good standing, who are qualified to vote (**Article 8.2**) can nominate contestants into offices

25.6 ELECTION PROCESS

1. The Chairperson of the Electoral Commission shall cause the names of the nominated candidates to be circulated at least 4 weeks prior to the day of the election
2. Contestants can solicit votes from the date of his/her nomination up to the day of the election, but must not do so within the vicinity of the polling booth
3. Elections must be conducted by secret ballot, utilizing officially-approved ballot papers
4. Ballot papers shall be distributed to eligible voters in-house on the day of the election
5. Voters shall exercise their voting rights independently, entering the provided polling booths one by one without any consultation with other voters

25.7. RULES OF ELECTION

1. A vote shall be declared void if more than one name is checked for the same position on the same ballot paper. A voter must approach electoral officers for a replacement ballot paper if he/she makes a mistake on the original one
2. Only the original ballot papers provided by the Electoral Commission are eligible to be counted for the purposes of the election
3. Once voting starts officially, candidates cannot canvass for votes and any infringement of this provision shall attract severe sanctions, including outright disqualification
4. To ensure fairness and transparency, the Electoral Commission shall randomly nominate 3 (three) members of the general assembly to count the votes for each contested office, independently of each other. The independent counts must be in agreement before a winner can be declared
5. Results of elections must be announced immediately after the votes have been counted
6. In the event of a tie in the votes to any contested position, members of the Electoral Commission shall have the constitutional power to vote and declare a winner immediately
7. Voting by proxy is not permitted

ARTICLE 26: HANDOVER PROCESS

1. Handover to the newly elected officers must be completed within 30 days of the election
2. The process of handover should be agreed among the incoming and the outgoing officers
3. The elected officer assumes responsibility of the office into which he/she is elected upon completion of the handover process
4. Adequate and proper documentation must be made of the assets, records and property of the Association to be handed over to the newly elected officers
5. Each of the newly elected officers of the Board, Executive Council and the Committees shall be presented with a copy of the Association's Constitution and By-Laws

ARTICLE 27: NON-PERFORMANCE OF DUTIES AND VIOLATION OF CONSTITUTION AND BY-LAWS

Any member of the Board of Directors and the Executive Council who deliberately fails to perform his/her duties and/or violates any part of the Constitution and By-Laws of the Association shall be reprimanded and a vote of no confidence passed on such person

27.1 Procedure For Passing A Vote Of No Confidence

1. The General Secretary or any other member of the Executive Council shall bring to the attention of the Executive Council any report of non-performance and/or violation of the Constitution and By-Laws and its perpetrator and the meeting shall deliberate and dispose off the matter judiciously
2. If the General Secretary is the perpetrator, in line with clause (a) above, another member of the Executive Council shall have the right to bring the matter (violation and/or non-performance) to the attention of the Executive Council and move the motion to have it included on the agenda of the meeting
3. A first-time offender or violator shall receive a reprimand and a caution to desist from acting in such manner henceforth
4. A second-time offender or violator shall receive a memo from the Board and the memo shall state among other things;
 - a. The acts constituting non-performance of duties and/or violation in the first and second instance

- b. The consequences of further non-performance and/or violation, which could be a vote of no confidence, and, consequently loss of office
5. For a third-time offender or violator, the Executive Council shall consider passing a vote of no confidence on the violator, and a vote of no confidence may be passed if it is approved by 2/3 two-third majority of the members of the Executive Council
6. Where the situation described in (5) above arises, the General Secretary or anyone appointed for that purpose shall report the action officially to the General Assembly
7. The General Secretary shall then convene an emergency general meeting of the General Assembly to deliberate on the matter where the violator shall be given another opportunity to further defend himself/herself.
8. The General Assembly shall then vote to take a final decision on the matter, where 2/3 (two-third) of the members of the General Assembly vote to sustain the vote of no confidence (refer to **Article 4(2)** of this Constitution and By-Laws, the violator immediately ceases to be an Officer of the Association.
9. The Vice President or the assistant to that office shall then act in the vacant position until a substantive officer is duly elected pursuant to the provisions of the Constitution and By-Laws.

ARTICLE 28: AMENDMENT(S) TO THIS CONSTITUTION AND BY-LAWS

The provisions of this Constitution and By-Laws may be amended, repealed or supplemented by a resolution passed by 75% (SEVENTY FIVE PERCENT) of all registered members of the Association.

- 28.1. Any member who proposes any change(s) or amendment(s) to the constitution must have the support of at least 2 other members of the Association in good standing and the support must be expressed in writing
- 28.2. A notice of motion for change(s) or amendment(s) to the Constitution and By-Laws must be given in writing to the General Secretary for presentation to the Executive Council
- 28.3. The Executive Council shall determine the strength of the proposal for discussion at the general meeting
- 28.4. A meeting to pass a resolution for change(s) or amendment(s) to the Constitution or By-law shall then be called by the Executive Council
- 28.5. Where the Executive Council fails to call such after from the date on which notice is given, TWENTY FIVE (25%) of the general members of the Association may call a general meeting to consider and pass the resolution for change or amendment

- 28.6. The General Secretary must include a copy of the proposed amendment in the circular to members to give them the opportunity to review the issue before deliberations at the general meeting

ARTICLE 29: CONFLICTS OF INTEREST

Having regards to the permanent nature of the membership of the Shura Council and in order to avoid conflicts of interest, no subsisting member of the Shura Council is allowed to contest for any post in the Executive Council

ARTICLE 30: DISSOLUTION CLAUSE / DISPOSITION OF SURPLUS ASSETS

- 30.1. The Association may be dissolved if 2/3 of its registered members at a general meeting pass a resolution for dissolution.
- 30.2. Upon dissolution, the Executive Council shall pay up all outstanding debts and liabilities of the Association. Any surplus assets shall be distributed among Islamic community organisations in Ontario that have similar objectives with the Association as decided by the members at a General Meeting. If the Association is unable to resolve any disagreement over the distribution of surplus assets, then the provisions of the Companies Act or the relevant provisions of subsequent enactments shall apply.

ACKNOWLEDGEMENT

Acknowledged that the Association has passed the written Constitution and By-Laws of the Nigerian-Canadian Muslim Association of Toronto, Ontario, Canada.

Revised November 16, 2008

