

# BISMILLAH HIRAHMAAN NIRRAHEEM

(In the name of Allah, the gracious, the beneficent)

## CONSTITUTION

### SHIA NATIONAL NETWORK OF AUSTRALIA INC.

#### INTRODUCTION

The Network has been created to enable to adhere to and practise the teachings of Islam and

the fourteen infallibles (Masumeen) and to undertake such programs and activities which

are meant for the collective good of the community at large.

In order to achieve the stated objects this non political, Not-For-Profit Charity shall act as a

community entity and is not meant for the interpretation of Islamic jurisprudence/Fatawa.

#### **1. MISSION STATEMENT**

We are determined to assertively create networking among Shia organisations and Centres.

#### **2. NAME**

The name of the organisation shall be "Shia National Network of Australia", hereafter called "The Network."

#### **3 .OFFICE**

Until further decision the office shall be at a place as the Network determines from time

to time.

#### **4.AIMS AND OBJECTIVES**

- a) To set up a platform for collective voice and representation.
- b) To facilitate communication and interaction among the centres.
- c) To initiate youth drop- in centres, schools and religious facilities.
- d) To create and develop cordial relationship with related associations.
- e) To do all such lawful activities conducive to the collective welfare.
- f) To provide financial assistance to the disadvantaged people around the World.
- g) To encourage the youth to participate in positive community activities.
- h) To promote activities meant to spread the teachings of the 14 infallibles (Masumeen).

#### **5. MEMBERSHIP**

- a) FULL MEMBERSHIP.  
To all registered Mosques and Centres.
- b) AFFILIATION  
To all registered organisations which have more than 50 members but do not have their own premises for various activities.

## **6. THE DELEGATES**

There shall be 2 delegates for full and 1 for the affiliated membership.

## **7. MEMBERSHIP PROCEDURE**

An applicant for the membership shall fill the membership application.

The committee shall decide and the Secretary shall inform the

applicant within 7 days of the decision. The membership can be declined without assigning any reason.

## **8. MEMBERSHIP FEE**

It shall be decided by the general body in AGM/ EGM every year.

## **9. MEMBERSHIP TERMINATION**

It shall occur upon:

- a) The resignation by the member in writing.
- b) The expulsion of the member.
- c) Not paying the membership fee as decided

by the

Network.

The fee shall be valid for the financial year in which it is

paid.

## **10. MEMBERS LIABILITY**

All office bearers, trustees and the nominees of the sub

committees of the Network shall be indemnified against the payment of any debts and liabilities except the amount unpaid by them in respect of the membership.

### **11. MANAGEMENT**

Subject to the decisions of the general body of the Network:

- a) The management shall be vested in the Executive Committee and the trustees.
- b) No one mentioned above shall be appointed to any salaried position or enter any paid contract with the Network.

### **12. THE EXECUTIVE COMMITTEE**

- by the general
- a) The following office bearers shall be elected body for the period of two(2) years.  
President.  
Vice President.  
Secretary.  
Assistant Secretary.  
Treasurer.  
Three (3) Executive members.
  - c) The executive committee shall set up sub committees/ teams and a public officer till the expiry of its term.
  - d) The Executive Committee shall nominate a spokesperson for the media.

### **13. PROCEEDINGS OF THE EXECUTIVE COMMITTEE**

- a. The Committee shall meet at least once in two months.
- b. The President or any 5 members could call an extra ordinary meeting giving 7 days notice. The Secretary shall call a meeting within 14 days.
- c. The President shall chair the meeting. If he is unavailable it shall be chaired by the vice President.
- d. The chair would have a casting vote in case of deadlock.
- e. If a delegate misbehaves in the opinion of the executive committee, he could be asked by the committee to leave the meeting for a specified period of time.
- f. If any delegate resigns or is expelled, a new delegates shall be nominated by the member for the remaining of term of the committee.
- g. If a delegate is absent without information from three consecutive meetings its nomination shall be cancelled and replacement shall be made by the member.
- h. The Secretary shall record the minutes. If he is unavailable the Assistant Secretary shall do it.
- i. In case of ambiguity the committee has the right to interpret the constitution.
- j. A member or a Government official could inspect the books of the Network by giving 7 days notice.

### **14. TRUSTEES**

- a) Up to four(4) trustees shall be elected in general body meeting for four( 4) years.
- b) The trustees shall arbitrate between an expelled member and the Executive Committee.
- c) In case of dissolution of the Network the trustees shall take charge of properties and assets and dispose of them by handing to a registered organisation of the same faith under sec 23 of the Act.
- d) The trustees should be delegates of a member organisation.

## **15. VOTING**

- a) Only the nominated delegates shall be eligible to vote.
- b) There shall be 2 and 1 delegates of the Centres and the organizations respectively mentioned under articles 6.
- c) There shall not be any proxies or postal ballots.

## **16. ANNUAL GENERAL MEETING**

- a) An AGM shall be held within 4 weeks of the end of the financial year.
- b) The Secretary shall serve the notice to all eligible voters 21 days prior to the meeting.
- c) Fifty percent of the total membership shall be the quorum. If there is no quorum within half hour of the set down time, the meeting shall be postponed for 15 day. No notice shall be given for that meeting and there would be no need for a quorum for that meeting unless members are not less than 5. In such case a new date shall be set with a fresh agenda.
- d) In case the President is unavailable, the vice president shall chair the meeting. In case both are unavailable, any person from the meeting shall be requested/ elected to chair.
- e) The President shall present the Presidential report while the Treasurer

shall present accounts for approval.

- f) Only eligible voters shall be able to vote.
- g) All resolutions shall be decided by show of hands.
- h) In case of equality of votes, the chair shall have the right to use a casting vote.

#### **17. EXTRAORDINARY GENERAL MEETING**

- a) Any 5 people from the Executive Committee can call an EGM.
- b) Sixty percent of the total eligible voters can call an EGM. A written request along the agenda shall have to be given to the Secretary who shall table it to the EC. within 7 days and if it is recommended, an EGM shall be called with a notice of 21 days, otherwise the proposer shall be informed.
- c) All other rules of the AGM shall apply to the EGM.

#### **18. ELECTION OF EC AND TRUSTEES**

- a) The election shall be held 5 weeks prior to the end of the financial year.
- b) The Secretary with the consultation of the President shall announce the date of the election.
- c) No other business shall be discussed on the day.
- d) An eligible voter shall be nominated election officer two months before the election.
- g) The Election Officer shall not be a member of the Committee or a trustee.
- h) The nomination papers could be obtained by calling the Election Officer.
- i) The nomination papers duly completed should reach the Election Officer 14 days before the election.

- j) The nomination papers could be withdrawn 2 day after the submission.
- k) The election shall be conducted by secret ballots.
- l) If the nomination papers are not received up to 3 positions or 3 positions become vacant, they could be filled up by co-opting from the elected delegates for the term.

#### **19. VACATION OF OFFICE**

The office of an office bearer or a trustee shall become vacant if he:

- a) Ceases to be a delegate.
- b) Is expelled from the Network.
- c) Holds an office of profit or enter into a contract.
- d) Is declared mentally unsound.
- e) Becomes bankrupt or insolvent.

The vacant position shall be filled by the committee for the remaining term from the delegates.

#### **20. NO CONFIDENCE**

If an office bearer or a trustee ceases to enjoy the confidence of

the general body and if 50 % members move a motion against

him which is passed by 2/3 majority in the EGM, the person in

question shall be relieved of his position.

#### **21. EXPULSION**



a) A delegate could be expelled if in the opinion of the Executive Committee the person has been detrimental to the interest of the network. An EGM shall be called within 5 weeks of the decision of the committee and the votes shall be taken there by secret ballot which shall be binding on all. The decision shall not take effect unless the individual is given the chance to explain his viewpoint verbally or in writing as he shall wish.

b) In case of expulsion, the replacement shall be co-opted.

## **22. FINANCIAL YEAR**

The financial year shall end by the 30<sup>th</sup> of June.

## **23. FUNDS**

a) All the money received in the form of grants, gifts, donations or the membership fee shall be deposited in a joint account in the name of the Network. The President, Secretary and the Treasurer shall be the signatories. Any two can sign as long as one of them is the Treasurer.

b) The Network shall have following two accounts:

**1. Projects and administrative account.**

This fund shall be used on projects, functions, ceremonies and on the administrative expenses.

## **2. Charitable funds.**

This fund shall be used for the charitable purposes anywhere in the world irrespective of nationality, colour, caste or religion.

c) All payments in excess of \$200.00 (two hundred) be made by a cheque. Expenses more than \$500.00 (five hundred) shall be approved prior by the EC.

d) The assets and income shall be applied for the furtherance of the Network exclusively and not to be handed to anyone except as a reimbursement by any authorised person.

## **24. CONFLICT RESOLUTION**

a) In a dispute among the delegates the President shall arbitrate.

b) If he cannot resolve or if it is between the members of EC, then the entire committee shall be involved to end the dispute.

c) If it is bigger than the above, a joint meeting of the EC and trustees shall do the arbitration.

d) In case it cannot be resolved, it should be sent to the local community justice centre, Act 1983.

#### **25. AUDITING OF ACCOUNTS**

a) The annual accounts shall be audited by a qualified auditor.

b) The auditor shall be appointed by the general body and he

should neither be a trustee nor a member of the committee.

#### **26. COMMON SEAL**

The common seal issued by the Department of Fair Trading

shall be in the custody of the Secretary.

#### **27. CODE OF CONDUCT**

Keeping in view the best ever conduct of the 14 Infallibles

as their role models, the members shall exhibit the best conduct.

#### **28. DISSOLUTION**

a) The network shall be dissolved if the membership being less

than 3 or up on the vote of three forth (3/4) of membership

present in an extraordinary general body meeting.

assets

b) A resolution passed in accordance with 14(c), all  
shall be dealt with.

### **29. AMENDMEND TO THE CONSTITUTION**

- extraordinary
- a) Any proposal for the amendment shall be sent to the committee to be placed in the next meeting.
- b) If the committee deems fit it can call an  
general meeting within two months to discuss the amendment.
- c) If the committee deems the amendment in the best interest of the Network, it shall call an EGM.
- d) The committee may reject the amendment if it deems not in the best interest of the Network.  
In this case the mover shall be informed within 14 days of the decision.
- e) In such a situation the amendment could be again sent to the committee with the support of 50 % of the members which would have to be put in EGM.
- f) Such an amendment shall need 2/3 members in an EGM supporting it by show of hands.
- g) All amendments received by the committee shall be forwarded to all members within 3 weeks in  
their original forms before the EGM.

h) The amendments shall be effective if approved by the Minister of the State managing the Collection Act,2009.

**30 INTERPRETATIONS**

- a) The word Network wherever occurs refers to Shia National Network of Australia.
- b) Word “he “refers to both “he” and “ she.”
- c) Member refers to an organisation/Centre/Mosque.
- d) Committee or EC refers to the executive committee.
- e) Delegate refers to a nominated person by a member of the Network.
- f) The nomination papers refer to either a hard copy or a soft copy.

**31. COMPOSITION OF CLAUSES**

This constitution is composed of thirty two (32) clauses.

**32. ADAPTION OF THE CONSTITUTION**

This constitution has been adopted in the general body meeting of the Network and shall come into force with immediate effect. It has been read

clause

by clause in a special meeting on:

On -----

---

at (place) -----

---

Signed by

President -----

Secretary -----

