



IN THE NAME OF ALLAH MOST GRACIOUS MOST MERCIFUL
HALESOWEN/DUDLEY YEMENI COMMUNITY ASSOCIATION
CONSTITUTION

NAME:

The name of the association shall be the Halesowen/Dudley Yemeni Community Association (hereinafter called "the Association")

2. (i) **AIMS and OBJECTIVES:**

The objectives of the Association shall be to promote for the benefit of the inhabitants of Halesowen, Dudley and the surrounding area and particularly amongst members of the Yemeni Community that are resident or living therein:-

- a) To help improve the quality of life of the beneficiaries by providing educational, social and cultural activities to enable the beneficiaries to develop their natural talents.
- b) To utilise the resources and opportunities to help advance educational achievements of disadvantaged members of the Yemeni community within the borough of Dudley.
- c) To provide support and guidance on welfare and health related issues.
- d) To promote for the benefit of the Yemeni community within the borough of Dudley, the understanding of the Yemeni culture and especially the Islamic faith.
- e) The provision of recreational facilities in the interest of social welfare with the object of improving the conditions of life for the said inhabitants.

- f) To help the youth develop their capabilities through constructive activities, so that it may allow young people to become responsible and grow to full maturity as individuals and members of society.

(ii). **POWERS:**

In pursuance of the stated Aims and Objectives, the Association shall have power to:

- a) To encourage members to participate in community work in pursuance of the stated aims and objectives.
- b) To associate, co-operate and liaise with any other organisation whether local, national or international, governmental, statutory or voluntary in pursuance of the stated aims and objectives.
- c) To ensure that the Association is to pursue the stated aims and objectives as a non political organisation.
- d) To do all other lawful things necessary to advance the stated aims and objectives.
- e) To prohibit the purchase, sale and consumption of alcohol within the Associations premises.
- f) To obtain, collect, receive money, funds or property of any nature whether by contribution, donations, subsidies, subscription, request, legacy, grant, or by any other lawful method.
- g) To establish or acquire by any lawful means, premises for use as a Mosque or residential accommodation, home, school, club or recreational centre.
- h) To manage, maintain, furnish, and equip such premises.
- i) To purchase, sell, take on lease or in exchange, hire or otherwise acquire any real or personal property and any rights or privileges necessary or convenient for the promotion of its objects.
- j) To construct, maintain, and or alter any building or erection.
- k) To employ staff not being a member of the management committee as may be required in order to carry out the stated aims and objectives.
- l) To open and maintain bank accounts in the name of the Association with any bank or other such organisation.

3. **MEMBERSHIP**

a) Membership of the Association shall be open to any person over the age of eighteen. (herein after referred to as members). Associated membership may be offered to individuals interested in furthering the work of the Association but living outside the area of benefit. These members shall have no voting rights and will not be entitled to full membership.

b) Any person entitled to become a member may complete a membership application form and subject to the provisions of Clause 3 (d) hereof a membership card shall be issued to that member on payment of full subscription, for which they shall get a receipt.

c) Any person's between the ages of 11 and 17 inclusive who shall be interested in the furtherance of the objectives of the association may be admitted by the Management Committee as "Youth members" of the association. A Youth representative member shall be entitled to attend meetings of the group to discuss youth issues but with no power to vote. Youth members shall have the power to elect two youth representatives to attend meetings of the committee when invited to do so by the committee.

d) The Association shall keep a register of the members and enter therein the following particulars:-

- (i) The name and address of each member.
- (ii) membership status (full or associate)
- (iii) The date upon which each member became a member.
- (iv) The date upon which any members ceased to be a member.

e) The Committee shall have the right to terminate an applicant's membership if:-

- (i) The applicant fails to comply with and follow the rules of the Association.
- (ii) Acts and behaves in contradiction to the aims and objectives of the association or in a manner which makes the aims and objectives of the association unachievable.
- (iii) Acts contrary to the principal aims of the association provided that the member concerned shall have the right to be heard by the committee

before a decision is made and provided that the decision is made in accordance with the rules of natural justice.

f) Any member may terminate his membership by notice in writing to the secretary.

4. **EXECUTIVE COMMITTEE**

a) Subject to the limitations set out in clause 5 hereof, the policy and general management of the affairs of the association shall be directed by an Executive Committee (hereinafter called "the Committee").

b) The Committee shall consist of seven members of the association elected under clause 6 hereof and if needed they may co-opt additional three officers maximum. All members of the committee shall hold office from the date they were elected or appointed until the next Annual General Meeting. The Chairperson elected shall be the Chair of the committee.

c) The out-going officers of the association must hand over their charge to the newly elected officers within fourteen days of the Annual General Meeting.

d) The committee shall meet at regular intervals at least four times annually or more often if so required. A special meeting of the Committee may be summoned at any time by the chairperson or by any five members of the Committee upon seven clear days notice being given to all members of the matters to be discussed.

e) The committee shall have the power to appoint and dismiss fairly and justly salaried employees of the association as it may from time to time determine.

f) The Committee shall have the power to remove any of its members from the office if they become bankrupt or become incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs and in the case of not attending three consecutive meetings without a justifiable reason.

g) Any vacancy in the committee may be filled by a majority vote of the Committee members and any persons so appointed shall continue to be a member of the committee until the Annual General Meeting following his/her appointment.

5. ANNUAL GENERAL MEETING

- a) Once a year, the Committee shall convene an Annual General Meeting of the Association of which all members shall be entitled to attend for the purpose of receiving the Annual Report of the Committee and the annual independently examined or audited statement of accounts in Arabic and English.; of appointing an accountant/auditor; of making recommendations to the Committee and, whenever necessary, of voting on proposals to amend this Constitution in accordance with clause 13 hereof. The Chairperson of the Committee shall be the Chair of the Annual General Meeting or in his absence by any other person as the Committee may invite or appoint. The Secretary shall give at least twenty eight days notice in writing to members of the date of the Annual General Meeting.
- b) The electing of officers of the association shall be held every two years in accordance with the clause 6.
- c) Nomination forms for the election of Honorary Officers and members of Committee as stated in 6 (a) may be obtained by any member of the Association from the Secretary. Completed nomination forms - one Proposer, one seconder all of whom shall be associated members - to be returned with the signature of the proposer and seconder at least seven days prior to the Annual General Meeting.
- d) If nominations exceed vacancies, a vote by secret ballot will be taken.
- e) Voting of any other matters at a General Meeting will be by ballot. Only members of the Association are eligible to vote at any General Meeting of the Association.

6. ELECTION OF EXECUTIVE COMMITTEE

- a) A Chairperson, a Vice Chairperson, a Secretary and Assistant Secretary, a Treasurer and two other Committee members shall be elected every two years at the Annual General Meeting.
- b) All Committee members including Honorary Officers shall be elected by simple majority by secret ballot. In the event of an equality of votes the Chairperson (or the Chair for the time being) shall have the casting vote.

c) The conduct of the election shall be undertaken by an election commission comprising of not less than two nor more than five members or honorary officers who shall be appointed by the Committee. Members of the election commission are not eligible to be nominated for election.

7. SPECIAL GENERAL MEETING

a) The Chairperson of the Association may at any time at their discretion, and shall within twenty one days of receiving a written request so to do, signed by not less than twenty members and given reason for the request, call a Special General Meeting of the Association for the purpose of altering the Constitution in accordance with clause 13 hereof, or of considering any matter which may be referred to them by the Committee or for any other purpose. Notice of the Special General Meeting shall not be less than fourteen days.

b) The Executive Committee shall hold at least four General meetings to discuss latest developments in the association giving at least fourteen days written notice.

c) In the case of three Committee members resigning on one issue at any one time a General Meeting for the purpose of discussing and resolving the issue if necessary for another election should take place under the organisation of the present Committee.

8. CONDUCT OF MEETINGS

a) Subject to the provisions of clauses 12 and 13 all questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote thereafter. In the case of an equality of votes the Chairman shall have a casting vote. Voting shall be by show of hands or by secret ballot.

b) Four members form a **Quorum** at meetings of the committee. One third of members shall form a **Quorum** at the Annual General Meeting and any Special General meeting. In the event of a Quorum not being present within the time appointed, the meeting shall be adjourned to such place, date and time within the ensuing fourteen days as the Chairman shall decide, and at least one quarter members present at such adjourned meeting shall constitute a **Quorum**.

c) Minutes shall be kept with the Association and the Committee and the appropriate Secretary shall enter therein a record of all proceedings and resolutions.

9. **NOTICES**

The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any member shall not invalidate any proceedings or resolutions at any meetings of the Association or any Committee thereof.

10. **FINANCE**

a) All monies raised by or on behalf of the Association shall be applied to further the objects of the Association and for no other purpose.

b) The Treasurer shall keep proper accounts of the finances of the Association and shall have power to give receipts for all monies paid to him on the Association's behalf.

c) All sums collected by or on behalf of the Association shall be handed over to the Treasurer who shall pay the same into a banking account in the name of the Association within 7 days. Cheques shall be signed by the Treasurer and either by the Chairman or the Secretary or upon instructions of the Committee.

d) The accounts shall be independently examined/audited at least once a year by a qualified accountant/auditor who shall be appointed at the Annual General Meeting.

e) An independently examined/audited statement of accounts for the last financial year shall be submitted by the Committee to the Annual General Meeting. The financial year shall end on 31st march.

11. **PROPERTY AND TRUSTEES**

a) The title of all and any real property which may be acquired by or for the purpose of the Association shall be vested in the name of the Trustees who shall be appointed by the Committee and who shall administer the same in all respects in accordance with the directors of the Committee or in the name of the Official Custodian of Charities. The number of Trustees shall not be less than two or not more than five.

b) The Trustees must be honest and of good and sound conduct and reputation.

c) A member of the Committee cannot at the same time be a Trustee of the Association.

d) A Trustee's office shall be vacated if they become bankrupt or makes composition with his/her creditors or becomes of unsound

mind or acts in contradiction to the association principals or in manners that cause the society harm or resigns his/her office by notice in writing to the Secretary and other trustees, or leaves the area of benefit.

e) A Trustee may be removed from office at a duly convened meeting of the Committee and later approved at the Annual General Meeting or Special General Meeting of the Association in the form of a resolution.

f) Trustees must be members of the Association and resident in the area of benefit.

12. **DISSOLUTION**

If the Committee by a simple majority decides at any time that on the grounds of expense diversion, legal status or otherwise it is necessary or advisable to dissolve the Association it shall call a meeting of all members of the Association by giving not less than 21 day's notice stating the terms of the resolution to be proposed thereat. Any decision shall be confirmed by a two thirds majority of those present and voting at such meeting, the Committee shall have power to dispose of any assets held by or in the name of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given to such other Islamic charitable organisation or other organisations with objects similar to those of the Association as the Committee may, with the approval of the Charity Commission or other authority have charitable jurisdiction, determine.

13. **ALTERATIONS TO THE CONSTITUTION**

Alterations to the Constitution shall receive the assent of not less than two thirds of the members of the Committee present and voting. A resolution for the alteration of the Constitution shall be received by the Secretary for the Committee at least twenty one clear days notice before the meeting at which the resolution is to be brought forward. At least fourteen clear days notice in writing of such a meeting shall be given by the Secretary to the members and shall include notice of the alterations proposed. Provided that no alteration shall be made without the approval of the Charity Commission or other authority having charitable jurisdiction and "Provided further that no alteration may be made which would have the effect of making the Association cease to be a charity at law".

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