

In the Name of Allah the Beneficent the Merciful
THE ISLAMIC FOUNDATION OF IRELAND
THE CONSTITUTION

RULE 1:

The Islamic Foundation of Ireland is a Specially Authorised Society for Muslims in Ireland.

RULE 2: NAME

The organisation shall be called the Islamic Foundation of Ireland, hereafter referred to as "THE SOCIETY".

RULE 3: ADDRESS

- a) The headquarters of the Society shall be in Dublin.
- b) The address of the Society shall be 163 South Circular Road, Dublin 8, Ireland.
- c) The Majlis (Council) shall be empowered to change the address of the Society if deemed necessary and a notice of such a change shall be sent to the Registrar of the Friendly Societies, Dublin, within 14 days.

RULE 4: AIMS AND OBJECTIVES

- a) To cater for the religious, cultural, and social needs of Muslims in Ireland.
- b) To try and represent Islam in its true perspective and to follow up and correct any misrepresentations of Islam.
- c) To organise from time to time lectures and seminars and/or publish papers or magazines on Islamic topics.
- d) To maintain in Ireland libraries of Islamic literature.
- e) The Islamic Centre shall be dedicated to the service of Allah and shall remain above any ethnic and territorial consideration.
- f) To try to alleviate the difficulties of Muslims in distress.
- g) To provide, within the limits of its capacity, such services as may be required for the welfare of Muslims in hospitals, prisons and elsewhere and to effect burials, according to Islamic rites, of Muslims in Ireland.
- h) To provide, within the extent of the funds and materials acquired, for the foregoing aims and objects at the discretion of the Majlis.

RULE 5: MEMBERSHIP

- a) The ordinary membership shall be open to all Muslims in Ireland. There shall be no membership fee payable by an applicant for ordinary membership but applicants shall be required to complete an application form and register with the Secretary. All applicants must be proposed by any two existing ordinary members. Ordinary membership is conferred ninety days after registration.
- b) Honourary membership shall be conferred on all Muslims in Ireland.
- c) Every member of the Society shall have the right to attend General Meetings but only Ordinary Members shall be entitled to vote at such meetings. Every Ordinary Member of the Society shall have one vote and no more except in the case of the casting vote when the Chairman shall have a second or casting vote.
- d) The Secretary shall keep a register of all members.
- e) Where Shar'ic (According to Islamic Teachings) proof exists against any ordinary member or members of his or their acting contrary to Shari'ah then the Trustees may undertake to censure such member or members. The form of censure may include limitation of rights within the Society including the loss of ordinary membership.
- f) Subject to Rule 4(b), an ordinary member of the Society once admitted to membership shall continue to be an ordinary member until death, resignation, removal from membership or his or her leaving the country for a period in excess of six consecutive months without signifying his intention to return.

RULE 6: AFFILIATIONS

- a) The Majlis may affiliate the Society to any other organisation provided that it is Islamic in character.
- b) The Society shall be an independent body and shall not affiliate to any other non-Islamic organisation.
- c) The Society may establish branches for the purpose of Islamic activities in accordance with Section 17 of the Friendly Societies' Act, 1896.

RULE 7: THE PRESIDENT

- d) The Imam of the Dublin Mosque will be the President of The Islamic Foundation of Ireland.
- e) The Imam must be a man possessing both sound knowledge and practice of Islam and

also the ability to communicate in Arabic and English.

- f) The Imam will be nominated by Majlis Ash-Shura (Council) and the Trustees and confirmed by a Special General Meeting of the Society.
- g) The office will be renewable every 3 years and if the post is not renewed 3 months notice must be given by either party.
- h) The post of Imam will be vacated if:
 - 1. He resigns his office giving three calendar months notice.
 - 2. He deliberately acts contrary to the Shari'ah.
 - 3. He is dismissed by a Special Resolution passed by two thirds of those present at a General Meeting.

RULE 8: MAJILS ASH-SHURA (COUNCIL)

- a) The overall policies of the Society should be established by Majlis Ash-Shura and the running of the day to day affairs of the Society shall be conducted by the President and seven elected members. Other than the Imam, all members of Majlis Ash-Shura must be elected at the Society's Annual General Meeting. Other than the Imam, a paid employee or consultant or accountant who is an ordinary member of the Society will, not be eligible for either election or co-option on to Majlis Ash-Shura .
- b) Any ordinary member having resided in Ireland for at least SIX MONTHS shall be eligible for election or co-option to Majlis Ash-Shura and all posts being held shall be in an honorary capacity except that of the Imam, which is subject to the conditions of his employment contract with the Society.
- c) A new Majlis Member shall exercise all such powers and do all such things as may be exercised or done by the Society but members of the outgoing Majlis shall be eligible for re-election.
- d) The Majlis shall exercise all such powers and do all such things as may be exercised or done by the Society save by those rules or by any statute for the time being in force required to be exercised or done by the Society in General Meeting and may act notwithstanding vacancies.
- e) The Majlis shall meet periodically at least once a month for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit. Questions arising at any meeting shall be decided by a majority of votes. Where there is an equality of votes the Chairman shall have a second or casting vote.

- f) Any six members of the Majlis present shall constitute a Quorum at a meeting of the Majlis. A Member of the Majlis may, and the Secretary on the requisition of the Member of the Majlis shall, at any time summon a meeting of the Majlis provided two days notice is given except in case of emergency when no notice shall be given. If the Majlis so resolve it shall not be necessary to give notice of a meeting of the Majlis to any member of the Majlis who being resident in the State is for the time being absent from the State.
- g) The Majlis shall have power to co-opt into the Majlis any Member or Members of the Society but not exceeding three in any one term of the Majlis if they deem it necessary for the efficient running of the affairs of the Society.
- h) The Majlis of the Society shall have power from time to time to make, alter and repeal all such bye-laws as they deem necessary or expedient or convenient for the proper conduct and management of the Society, provided such bye-laws are within the scope of the policies established.
- i) The Majlis shall adopt such means as it deems sufficient to bring to the notice of the Members of the Society all such bye-laws, alterations and repeals and all such bye-laws so long as they shall be in force shall be binding upon all Members of the Society provided nevertheless that no bye-laws shall be inconsistent with or shall have effect to repeal anything contained in these rules and that any bye-laws may be set aside by a Special Resolution of a General Meeting of the Society.
- j) The Majlis may from time to time delegate any of their powers to such sub-committee or sub-committees consisting of one or more Members of the Society and one Majlis Member as they shall think fit to appoint and may recall or revoke any such delegation or appointment. Any sub-committee shall in the exercise of the powers so delegated, conform to any regulations that may be prescribed, by Majlis Ash-Shura .
- k) The Majlis shall cause proper books of accounts to be kept in respect of:-
 - 1. all sums of money received and expended by the Society and the matters in respect of which such receipts and expenditure took place and/
 - 2. all sales and purchases of goods and services by the Society and/
 - 3. the assets and liabilities of the Society.
- l) The books of accounts shall be kept at such place or places as the Majlis in conjunction with the Trustees shall think fit and shall always be open to inspection by members of the Majlis, Trustees and a member or person having an interest in the funds of the Society. The Trustees and the Majlis shall ensure that at all times the accounts and books of the

Society shall be open to the inspection of the Members of the Society or persons provided that seven days notice in writing is given to the Majlis. Annual accounts shall be maintained available for inspection by the Revenue Commissioners when requested.

- m) Once at least in every year the Majlis shall lay before the Society in General Meeting an account of income and expenditure for the period since the preceding account. Such information of the account will be published and made available to ordinary members at least 7 days prior to the General Meeting. A balance sheet shall be made out to 31st December in every year and laid before the Registrar of the Friendly Societies. Every such account and balance sheet shall be accompanied by a report of the Majlis and of the auditors and the account, report and balance sheet shall be signed by its President, and countersigned by the Secretary. A copy of the annual returns or other documents shall be given to any ordinary member on request.
- n) The post of member of Majlis Ash-Shura , except for that of the President, shall be vacated if:-.....
 - 1. He resigns his membership of the Society.
 - 2. He absents himself from meetings of the Majlis for two consecutive meetings without special leave of absence from the Majlis.
 - 3. He gives to the Majlis one calendar month's notice in writing that he resigns his office pending acceptance of the resignation by the Majlis.
 - 4. He is removed by Ordinary Resolution passed by a General Meeting of the Society.
- o) All casual vacancies arising amongst the Majlis shall be filled by the Majlis members. Any member of the Majlis so appointed shall retire at the end of the term of the Majlis and shall be eligible as a candidate for re-election.
- p) The Registrar of the Friendly Societies shall be informed within 14 days of:-
 - 1. The newly elected Majlis.
 - 2. Any interim change in the Majlis.
 - 3. Any change in Trustees and Auditors.
- q) Any two ordinary members of the Society shall be at liberty to nominate any other ordinary member to serve as an officer or Majlis of the Society having received his assent. Nominations must be in writing.
- r) Balloting lists shall be prepared (if necessary) containing the names of the candidates only in alphabetical order and each Member present at the A.G.M. and qualified to vote for

any number of such candidates not exceeding the number of vacancies.

- s) In case there shall not be a sufficient number of candidates nominated the Majlis shall fill up the remaining vacancies.
- t) If two or more candidates obtain an equal number of votes, the Majlis shall select, by lot from such candidate or candidates who is or are to be elected.
- u) The term of office of Majlis Ash-Shura shall be for two years.

RULE 9: TRUSTEES

- a) All the property of the Society whatsoever and howsoever shall be vested in five Trustees as joint tenants .
- b) Three Trustees shall hold office until retirement, death, leaving permanent residence in Ireland or removal from office by a resolution of the Society. The trustees being as follows: ..
 - 1. Hidayat Mirza.
 - 2. Mohammad Alhourani
 - 3. Mohammed Beldi.

The remaining 2 shall be:-

- 1. The President of the Society at the time.
- c) One (1) Member to be elected every two years
- d) Election of trustees shall take place in accordance with Rule 8, paragraphs q and r of these rules and Constitution. No trustee shall be a paid employee of the Society.
- e) The Trustees may deal with the property so vested in them by way of sale, exchange and in any way they see fit provided the transaction is legal and in accordance with Shari'ah. Such direction shall be given by resolution of two-thirds of the Members of the Society present and entitled to vote at a duly convened General Meeting of the Society and when so passed shall in favour of the purchaser, exchangee or lessee be binding upon all members of the Society. A certificate signed by the Secretary for the time being of the Society shall in favour of the said persons be conclusive evidence that a direction complying in all respects with the above provision of this paragraph was duly given to the Trustees.
- f) The Trustees shall be vested with the authority to invest, in collaboration with the Majlis, the funds of the Society in accordance with the provision of the Trustee (Authorised Investment) Act 1958.

- g) Except for the President no Trustee can hold a position on the Majlis. Except for the President no Trustee shall be an employee of the Society nor will a Trustee receive any money, gifts and properties from the Society.
- h) Life Trustees will be nominated by Majlis Ash-Shura in consultation with at least five senior ordinary members. Such nominees must be approved by resolution of at least fifty-one percent of the ordinary members of the Society present and entitled to vote at either a duly convened Special General Meeting or at the Annual General Meeting.
- i) The Trustees must meet at least twice a year to examine the financial state of the Society.
- j) If necessary the Trustees will be responsible for appointing the independent Auditor to verify the Society's books and accounts.

RULE 10: DUTIES OF OFFICE BEARERS

a) PRESIDENT:

1. Shall preside at all meetings of the Society but may nominate any member to act as a chairman for the meeting.
2. Shall act as the spokesman for the Society but may nominate any member to act as spokesman for the Society.
3. Shall present at the A.G.M. an account of the Society's activities for the year.
4. Majlis Ash-Shura , excluding the Imam, shall establish the full set of duties which the Imam must undertake.

c) THE SECRETARY

1. Shall convene the Majlis and General Meetings and shall be responsible for issuing notices and information for such meetings.
2. Shall keep minutes of the Majlis and General Meetings.
3. Shall always have available and supply to any member, who may so request, a copy of the Constitution at no cost.

d) THE TREASURER

1. Shall be responsible for the collection and payment of the Society's accounts. Shall keep an account of the Society's finances and assets.
2. Shall deposit monies into the Society's accounts in banks decided upon by the the Majlis, within THREE days of receipt of such monies.
3. Shall deliver for inspection the account books of the Society to any ordinary member

who may so request in writing, provided that he has given at least SEVEN days notice to the the Majlis.

4. Shall always keep a duly audited copy of the last annual balance sheet hung up in the Society's office.
5. Shall submit to the Registrar of the Friendly Societies, in the prescribed form, a duly audited account of the receipts and expenditure of the Society not later than the 31st of May, of each year.
6. Shall present a detailed and duly audited report of the Society's finances to the A.G.M.
7. Should he decide to resign he shall inform the Secretary in writing; the latter shall then arrange for the auditing of the books before his resignation can be considered. He shall continue in office until his successor assumes office.

e) THE MAJLIS MEMBERS

Shall be responsible for any duties assigned to them by the Majlis.

RULE 11: MEETINGS

- a) All meetings of the Society shall begin with the recitation of a verse from the Holy Qur'an and end with a short prayer.
- b) No meeting shall entertain any motion that is contrary to the teachings of the Holy Qur'an and the Sunnah.
- c) At any general meeting a resolution put to the vote of the meeting shall be decided on the show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded.
 1. by the chairman.
 2. by at least ten percent of the members present in person.

d) ANNUAL GENERAL MEETING

1. Shall be held in JANUARY of each year.
2. A notice of at least three weeks shall be given for such a meeting.
3. The presence of at least SIXTY ordinary members shall constitute a quorum.
4. If within one hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the following week at the same

time and place; and if at the adjourned meeting a quorum of members is not present within one hour of the time appointed for the meeting, the ordinary members present shall be a quorum.

5. Motions passed by a simple majority shall be acted upon by the Majlis.
6. The accidental omission to give notice of any meeting or the non-receipt of such notice by any members shall not invalidate the proceedings at that meeting.

e) SPECIAL GENERAL MEETINGS

1. Shall be convened by the Majlis whenever it may deem it necessary.
2. Shall be convened if requested in writing by 35 ordinary members, at least 80% of whom shall be present at the meeting of the proposed meeting.
3. A notice of at least two weeks shall be given for such a meeting with intimation of the subject to be discussed.
4. The quorum shall be as for the A.G.M.
5. If within one hour from the time appointed for the meeting a quorum of members is not present, the meeting if convened on the requisition of members shall be dissolved.
6. Shall be convened if one fifth of the total numbers, (or if the number is 1,000 or more then such numbers as is prescribed by the Act) by an application to the Registrar, signed by them in the forms respectively provided by statutory regulations on their behalf, may so apply.

RULE 12: FINANCES

- a) The income and property of the Society, whencesoever derived, shall be applied solely towards the promotion of the objects of the Society as set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to the members of the Society. Provided that nothing herein shall prevent the payment, in good faith, of reasonable and proper remuneration to any officer or servant of the Society, or to any member of the Society, in return for any services actually rendered to the Society, nor prevent the payment of reasonable and proper rent for premises demised or lent by any member to the Society; but so that no member of Majlis Ash-Shura or a trustee, of the Society, except for the President (Imam), shall be appointed to any salaried office of the Society or any office paid by fees and that no remuneration or other benefit in money or money's worth shall be given by the Society to any member of Majlis Ash-Shura or a trustee, except repayment

of out-of- pocket expenses or reasonable and proper rent for premises demised or lent to the Society.

- b) The Bank Account shall be in the name of the Islamic Foundation of Ireland.
- c) The funds of the Society shall be derived from donations by members and from any other source provided that they do not contravene the teachings of Islam.
- d) The Society's expenditure quota and maximum value of cheques shall be set by the Majlis. Expenditures or cheques above the pre-set value shall require the Majlis's authorisation.

RULE 13: EMPLOYMENT PROCEDURES

- a) Majlis Ash-Shura shall be responsible for establishing a full set of procedures regarding the criteria for advertising of posts, criteria for selection, determination of salary scale and the method by which employees may be dismissed.
- b) The Majlis shall establish the full set of duties which all the Society's employees must undertake in a contract.

RULE 14 : ACCOUNTABILITY

- a) All office bearers and employees of the Society are accountable to the Majlis Ash-Shura.
- b) Disciplinary action may be taken against a member acting contrary to the Shari'a, malpractising or breaking job description rules.
- c) Discipline may include withdrawal of membership and/or removal from office.

RULE 15: BUSINESS OPERATIONS

- a) Majlis Ash-Shura shall be responsible from time to time as to which and what types of business operations the Society will undertake.
- b) No business activity on behalf of the Society shall be undertaken by its members without the consent in writing from the Trustees.

RULE 16: AUDITORS

- a) A Public Auditor shall be nominated by the Majlis and approved by a General Meeting to examine, audit and certify the accounts prepared by the Treasurer. All discrepancies shall be reported by the Auditors to the Trustees. A member of the Majlis may not be appointed as Auditor.

RULE 17: AMENDMENTS

- b) Any ordinary member may propose an amendment to the Constitution. Notice of the amendment must be accompanied by the proposed version, signed by the proposer and seconder and must be sent to the Secretary at least two weeks before the meeting.
- c) The proposed amendment shall be considered either at the A.G.M. or at a special General Meeting convened for such a purpose.
- d) The proposed amendment shall not in any way prejudice the aims and objects of the Society.
- e) The amendment shall require a 2/3 majority for acceptance.
- f) No amendment of rules shall be valid until registered.
- g) Majlis Ash-Shura shall keep the Revenue Commissioners informed of any amendment to the constitution. A copy of such an amendment shall be sent to the Revenue Commissioners within 14 days of passing such an amendment.

RULE 18: BYE-LAWS:

- a) All bye-laws alterations and repeals introduced by the Majlis must be properly documented in a special bye-law book, clearly stating the purpose and dates on which the bye-law takes effect and ceases.
- b) No bye-law shall be inconsistent with or shall have effect to repeal anything contained in these rules and that any bye-law may be set aside by a Special Resolution of a General Meeting of the Society.
- c) All passed bye-laws, alterations or repeals, shall be brought to the notice of the members of the Society and all such bye-laws so long as they shall be in force shall be binding upon all members of the Society.

RULE 19: DISPUTES

- a) Should any dispute arise amongst members, these should be referred to the Majlis and if not resolved there, they shall be referred to a special general meeting of the Members.
- b) The Principles laid down by the Holy Qur'an and the Sunnah shall be those by which all disputes shall be decided.
- c) Any disputes arising between members of the Majlis shall be referred to the trustees and if not resolved, shall be referred to a Special General Meeting of the Society.

RULE 20: INTERPRETATIONS

a) The Majlis shall have the power to interpret this constitution provided that interpretations are in keeping with the Principles of Islam.

RULE 21: DISSOLUTION

a) In the event of dissolution of the Society, in accordance with the provisions of the Act, the finance and all assets of the Society shall be handed over to a Muslim organisation or Muslim organisations to be decided by the then Majlis, subject to Rule 9, paragraph d.

b) One fifth of the total numbers (or if the number of members is 1,000 or more, then such number as is prescribed by the Act), by an application in writing to the Registrar, signed by them in the forms respectively provided by Statutory regulations on their behalf may apply:-

1. For the appointment of one or more inspectors to examine into and report on the affairs of the Society.
2. For an investigation into the affairs of the Society with a view to the dissolution thereof, where the funds are insufficient to meet the existing claims thereon, or the rates of contribution fixed in the rules are insufficient to cover the benefits assured.