

LEWISHAM ISLAMIC CENTRE (LIC)

Constitution

Approved 23rd April 2016

1. Name

The name of the Charity shall be “Lewisham Islamic Centre” (hereinafter called “LIC”).

2. Aims and Objects

- a) LIC will provide spiritual, social, educational and moral support for Muslims of all ages, race and gender.
- b) LIC is also established for the advancement of the religion of Islam, specifically in the London Borough of Lewisham, and more generally in the UK and globally.
- c) LIC aims to foster better community relations and work for the betterment of society as a whole, including the provision of social welfare where possible.
- d) The relief of poverty.
- e) To work for the eradication of disadvantages and all forms of discrimination faced by Muslims.

3. Guidance

LIC will be guided by the Quran and will follow the principles of Sunni Islam and in such other ways as the Trustee Board (TB) shall deem fit, within the principles stated above.

4. Membership

- a. Every Muslim residing in the London Borough of Lewisham, over eighteen is eligible for LIC membership, provided that they are nominated by an existing member and that their membership is unanimously agreed upon by The TB. The TB may consider an application of a person who resides outside of the Borough of Lewisham.
- b. The Trustees may cancel a membership or refuse an application for membership if, acting reasonably and properly, they consider it to be in the best interests of the charity to cancel a membership or refuse the application. Trustees must inform the member or applicant in writing of the reasons for the refusal within 21 days of the decision.

- c. Membership is not transferable to anyone else.
- d. Every person shall undertake to adhere to, observe and be bound by the provisions of the constitution and bye-laws of LIC.
- e. Members shall pay subscriptions due on a monthly or annual basis as the TB determines.
- f. LIC will keep a register of members and enter therein the following particulars:
 - i. The name and current address of each member.
 - ii. The date upon which each membership commenced.

5. Administration

The affairs of LIC shall be managed and administrated by the TB comprising of office bearers and trustees. The Office Bearers (OB) will be appointed by the TB subject to clause 8 below. Under this constitution both the trustees and officers are together called the trustees.

The following office bearers will be selected:

- Chairman
- Vice-Chairman.
- Secretary.
- Vice-Secretary
- Treasurer.
- Vice-Treasurer

6. Trustees

A maximum of 15 Trustees make up the TB. The number of trustees in the TB must never fall below 5; if so, a special resolution is called and a process of electing additional trustees must commence.

The property of LIC is to be held in the name of the charity which will be managed by the TB. The trustees are the official custodians of the charity.

7. Appointment of trustees

- a) In selecting individuals for appointment as trustees, the trustees must have regard to the skill, knowledge and experience needed for the effective administration of the charity and their ability to adhere to the charity's objects.
- b) The trustees must keep a record of the name and address and dates of appointment, re-appointment and retirement of each trustee.
- c) Subject to 4d, 4e and 7a above, a new appointee to the TB must be nominated by at least 2 current TB members and be approved for nomination by not less than three quarters of the TB.

- d) The following office bearers shall be appointed for a term of five years;
 - i) Chair
 - ii) Secretary
 - iii) Treasurer
- e) All other trustees shall be appointed for a term of three years.
- f) The TB at its discretion may re-appoint any of its office bearers and trustees subject to 7c above.
- g) In order to maintain the required minimum 75% TB nomination for approval of a re appointment no more than 3 re appointments of trustees can occur in one calendar month. Should there be additional trustees to be nominated for re appointment then the TB will convene once the first group of re appointed trustees have been confirmed and re admitted to the TB.
- h) Every trustee shall undertake to adhere to, observe and be bound by the provisions of the constitution and bye-laws of LIC.

8. Duty of care and extent

- a. When exercising any power (whether given to them by this deed or by statute or any rule of law) in administering or managing the charity, each of the trustees must use the level of care and skill that is reasonable in the circumstances, taking into account any special knowledge or experience that he or she has or claims to have (“the duty of care”).
- b. No trustee, and no one exercising powers or responsibilities that have been delegated by the trustees, shall be liable for any act or failure to act unless, in acting or in failing to act, he or she has failed to discharge the duty of care

9. Termination of Trusteeship

A trusteeship shall come to an end if he or she:

- a) Is disqualified for acting as a trustee by virtue of section 178 and 179 of the Charities Act 2011 or any statutory re-enactment or modification of that provision;
- b) Has by virtue of clause 8 above shown a disregard and is reckless in discharging a duty of care whilst exercising any of the powers or responsibilities they have;
- c) Has not paid any membership that may be due;
- d) Is absent without reasonable cause or permission from three consecutive meetings held by the TB.

10. Benefit and payment to charity trustees and connected persons

A charity trustee or persons connected to the trustee may sell goods, services or interest in land to the charity provided that:

- a) The TB have been made aware of the trustee and connected persons' relationship.
- b) The goods and services are either on preferential rates or at least the forgoing market price
- c) The price is reasonable in the circumstances for the supply of such goods and services.
- d) Independent third party quotes have also been provided.
- e) Notwithstanding 8b and 8c above the price will not be the only determining factor in awarding of contracts for the supply of goods and services.

11. Application of Income and Property

The income and property of the charity shall be applied solely for the purpose of promoting the Objects of the charity.

12. Powers

In addition to any other powers they have the TB may exercise any of the following powers in order to further the objects:

- i. Employ all such employees as may be required for the purposes of LIC
- ii. Purchase or otherwise acquire lands for any estate or interest.
- iii. Raise money for any of the above purposes by mortgaging or charging all or any such property as may be legally mortgaged or charged with capital sums in line with the principles of Islamic Finance.
- iv. Accept subscriptions or donations (whether of real or personal estate) and devises and bequests for all or any of the purposes aforesaid and to sell and dispose of, to lease and accept surrender of leases of and manage all real estate (including leaseholds) so received and not required to be or capable of being occupied for the purposes of LIC, and generally to manage, invest and expend all monies belonging to LIC.
- v. Invest the monies of LIC not immediately required for its purposes in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may be imposed or required by law.
- vi. Do all such other things as are incidental or necessary to the attainment or furtherance of the said aims and objectives or any of them.
- vii. To co-operate with other charities and voluntary bodies that are in accordance to the objects;
- viii. To establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the objects;

- ix. To acquire, merge with or enter into any partnership or joint venture arrangement with any other charity formed for any of the objects;
- x. The TB may delegate such responsibilities as deemed appropriate. The TB may delegate any of its powers to a sub-committee or sub-committees and any such sub-committees shall, in the exercise of the powers so delegated, conform to any regulation that may be imposed upon it by the TB, provided that the acts and proceedings of any such sub-committee shall be fully and promptly reported to the TB.

13. Meetings

- a) The TB may meet together for the dispatch of business and adjourn and otherwise regulate their meetings as they deem necessary.

Questions arising at any meeting shall be decided by a majority of votes.

Each member of the TB shall have one vote; in the case of an equality of votes, the Chairman shall have a second or casting vote.

- b) Two thirds of the TB is the quorum necessary for the transaction of the business of the TB.
- c) The TB shall hold a minimum of six ordinary meetings each year and may hold such other ordinary meetings as may be required. A special meeting of the TB may be summoned at any time by the Chairman or by any two members of the trustees upon seven clear days' notice being given to all other Trustees of the matters to be discussed. In case of matters that require urgent or immediate action by the TB, the Chairman or any trustee may summon a meeting within twenty four hours.
- d) Minutes shall be kept by the TB via the secretary, whereby he shall enter therein a record of all proceedings and resolutions. The Minutes shall be signed by the Chairman at the beginning of the next meeting or at some subsequent meeting if the minutes shall have been duly confirmed.
- e) The TB may invite any person to attend its meeting but without power to vote.
- f) The TB may make bye-laws for the conduct of LIC's affairs; such bye-laws not being inconsistent with the provisions of this constitution. All bye-laws will be referred to as either policies or procedures and tabled following a coding system.
- g) Without prejudice to the generality of the foregoing, the TB may by such policies & procedures make appropriate provisions for the admission of Muslims under the age of 18 years for the benefit of LIC upon such terms and conditions as it shall in its discretion determine.

14. Rules of Procedure (for AGM)

- a) The AGM shall be held on such day and such time and place in the month as the TB shall determine. No more than two years shall pass without holding an AGM.

A minimum of fifteen days' notice shall be given to all members of the AGM.

The business of such meetings shall include the approval of LIC accounts and the appointment of a member of one of the bodies referred to in sub-section (3) of section (8) of the Charities Act 1960 as auditor of LIC accounts.

Any member may attend and cast one vote at the AGM and in the event of an equality of votes the Chairman shall have a second or casting vote.

The Chairman of the TB, or in his absence, the Vice Chairman shall preside as chairman at the meeting.

If both the Chairman and the Vice Chairman are absent fifteen minutes after the time appointed for holding the meeting or are unwilling to act, then the meeting will choose one trustee from amongst themselves to chair the meeting.

- b) The Chairman of the TB may at any time at their discretion and shall within 28 days of receiving a written request so to do signed by not less than two thirds of the members giving reasons for the request, call an extraordinary meeting of LIC for the purpose of altering the constitution in accordance with clause (11) of the Charities Act 2011, or of dissolving LIC in accordance with clause (4) of the Charities Act 2011 or for any other purpose.
- c) No business shall be transacted at an annual or extraordinary meeting unless a quorum of members is present at the time when the meeting proceeds to business; one third of the membership shall constitute a quorum. If within half an hour from the time appointed for the meeting, a quorum is not present, the meeting shall be dissolved; in any other case, it shall stand adjourned to the same day in the next week at the same time and place, or to such other day, time, and place, as the TB may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall constitute the quorum.

15. Accounts and Procedures for the handling of funds

The Treasurer of LIC shall be responsible to the TB for the compliance of their obligation under the Charities Act 2011 with regards to:

- a) the keeping of accounting records for the charity:
- b) the preparation of annual statements of account for the charity:
- c) the preparation of an annual report and its transmission to the Commission
- d) the preparation of an annual return and its transmission to the Commission
- e) the proper keeping of LIC's accounts which may be audited annually by an independent person qualified to do so:
- f) the accounts shall be regularly maintained and shall upon not less than 21 days' notice be open for inspection of any member.

- g) All sums collected by or on behalf of LIC shall be handed over to the Treasurer or Centre Manager or any person designated by the TB, who shall pay the same into LIC's bank account immediately.
- h) All procedures for handling of funds, book keeping and accounts are outlined in the Finance Manual.

16. Alterations of the Constitution

Any proposals to alter this constitution must be delivered in writing to the Chairman of LIC not less than 28 days before the date of the meeting at which it is to be considered provided that:

- a) no such alteration shall be made to clause (2) hereof without the consent of the Charity Commission for England and Wales
- b) Any alteration(s), to be effective, will require the approval of a two-thirds majority of the TB and voting at an annual or extraordinary meeting;
- c) Notice of each such meeting must have been given in accordance with the normal procedure but not less than 21 days prior to the meeting in question and giving the wording of the proposed alteration;
- d) No amendment may be made to alter the objects if the change would undermine or work against the previous objects of the charity.

17. Rules

- a) The trustees may from time to time make rules or bye-laws for the conduct of their business. All bye-laws will be referred to as either policies or procedures.
- b) The bye-laws may regulate the following matters but are not restricted to them:
 - i) the admission of members of the charity and the rights and privileges of such members, and the entrance fees, subscriptions and other fees or payments to be made by members:
 - ii) the procedure at general meetings and meetings of the trustees in so far as such procedure is not regulated by this constitution.
- c) The charity in general meeting has the power to alter, add to or repeal the rules and bye-laws
- d) The rules and bye-laws shall be binding on all members of the charity. No rule or bye-law shall be inconsistent with, or shall affect or repeal anything contained in this constitution.

- e) Without prejudice to the generality of the foregoing, the TB may implement by such policies & procedures, the admission of Muslims under the age of 18 years for the benefit of LIC in furthering its objects upon such terms and conditions as it shall in its discretion determine

18. Dissolution

LIC may be dissolved at any time by a resolution passed by a two thirds quorum of the TB present and a unanimous vote by the members at an extraordinary meeting provided that, if any property held by or in the name of LIC remains after the satisfaction of all debts and liabilities, such property shall be given:

- a) to another charitable institution or institutions having aims and objectives similar to those of LIC as the TB may determine:
- b) to any charity for use for particular purpose which fall within the charity's objects.

The Commission must be notified promptly that the charity has been dissolved and, if the trustees were obliged to send the charity's accounts to the Commission for the accounting period which ended before its dissolution; they must send the Commission the charity's final accounts.