

**Constitution**  
**of the**  
**Muslim Association of New Brunswick**  
**1100 Rothesay Road, Saint John, NB, E2H 2H8**

**Owner:** Muslim Association of New Brunswick  
**Last Updated:** March 23, 2007  
**Version:** 2.0

# 1 Revision History

Version	Description	General Body Approval (for / opposed)	General Body Approval Date	Approval Location	Adoption Date
1.0	Initially adopted constitution	Unknown at this time	Unknown at this time	Bayside Drive	March, 1977
1.1	Amended Constitution	Unknown at this time	April 12, 1981	1100 Rothesay Road, Saint John, NB, E2E 2H9	April 12, 1981
1.1.1	Addendums added	Unknown at this time	January 7, 2001	1100 Rothesay Road, Saint John, NB, E2E 2H9	January 7, 2001
2.0	Amended Constitution	Vote to take place on April 22		1100 Rothesay Road, Saint John, NB, E2E 2H9	TBD

**Approved By:**

- **President:** \_\_\_\_\_
  
- **Secretary:** \_\_\_\_\_
  
- **Executive**
- **Members:** \_\_\_\_\_

In the name of Allah, the Beneficent, the Merciful

## **ARTICLE I: NAME**

- This organization shall be known as the **MUSLIM ASSOCIATION OF NEW BRUNSWICK (MANB)**, hereafter referred to as **THE ASSOCIATION**. The head office of the Association shall be in the Islamic center located in the city of Saint John in the province of New Brunswick.

## **ARTICLE II: OBJECTIVES**

1. The Association shall be a religious, charitable, non-political, and non-profit organization concerned with the religious and general well being of the Muslim community.
2. The Association shall present the Islamic way of life as defined by the Holy Quran, the Hadith and Sunnat of Prophet Muhammad (p.b.u.h.).
3. The Association shall operate as an autonomous organization within its bylaws, the laws of Canada and the laws and tenets of Islam.
4. The Association shall:
  - a. Maintain the Islamic Centre in Saint John New Brunswick, which includes a mosque, an Islamic school, a library, and a community centre.
  - b. Publish and distribute Islamic literature.
  - c. Establish contact with new Muslims and visiting Muslims and introduce them to the Muslim community.
  - d. Receive, acquire and hold gifts, donations, and bequests.
  - e. Promote communication and understanding between Muslims and non-Muslims.
  - f. Maintain the Muslim cemetery in Sussex.
  - g. Provide assistance to other chapters of Muslim Associations in New Brunswick as required or needed.

## **ARTICLE III: MEMBERSHIP**

1. REGULAR MEMBERS: A regular member is defined as a person who:
  - a. Is a muslim/muslima of 18 years or over.
  - b. Is a resident of Canada who currently lives in New Brunswick.
  - c. Has paid his/her membership dues. Note: New members of less than 3 months are not entitled to vote in the annual election or for constitutional amendments.
2. ASSOCIATE MEMBERS: An associate member is defined as a person who is an international student on a student visa.

3. MEMBERSHIP DUES: The amount of regular membership or associate membership dues shall be subject to periodic review. The membership dues will cover membership for one calendar year. All membership dues MUST be paid in full by January 31<sup>st</sup> for the upcoming year.
4. MEMBER STATUS: In the event that a person pays their dues after January 31<sup>st</sup> he/she becomes a regular member of the Association on the day he/she pays his/her membership dues but for voting in general meetings or for constitutional amendments a new member must be in good standing for a period of not less 3 months.
5. HONORARY MEMBERS: Honorary members shall be those persons who are so declared by the executive on the basis of forming a consensus.
6. The Association reserves the right to suspend membership, through consensus of the Board of Directors, of a person who does not act in accordance with the objectives of the Association.
7. A suspended member shall have the right to seek a repeal of the Board of Director's decision. If unsuccessful, they may appeal the decision of the Board of Director before the general body and shall have his membership reinstated if a majority of the attending members vote to reinstate their membership.
8. The Board of Directors shall insure that a current register of members of the Association is kept up-to-date at all times.

#### **ARTICLE IV: RIGHTS, PRIVILEGES, AND RESPONSIBILITIES OF MEMBERSHIP**

1. All regular members, associate members and honorary members and their spouses will be entitled to attend and participate in the services, gatherings, and various activities organized by the Association.
2. Only regular members shall be entitled to vote at the general meetings and hold any elected office in the Association in accordance with this constitution and bylaws.

#### **ARTICLE V: ANNUAL AND OTHER GENERAL MEETINGS**

1. The Annual General Meeting: The annual general meeting shall be held in April at which time the following items of business shall be dealt with:
  - a. presentation and approval of the following reports:
    - i. the financial statement for the past calendar year

- ii. the Secretary's report
    - iii. the Islamic School report
    - iv. the cemetery report
    - v. any other reports
    - vi. the President's report
  - b. the presentation and approval of any amendments to the constitution and bylaws under section XII.
  - c. other business as required.
  - d. conducting the general elections for the next Board of Directors.
2. Other General Meetings: The Board of Directors or the President shall have the power to call at any time a general meeting of the members of the Association. In addition, a general meeting shall be called by the President on the written request to the President by at least 10 regular members of the Association indicating the purpose of such a meeting.
3. Notice of General Meetings: The members shall be notified of any general meeting not less than fourteen days in advance of the date set for the meeting, except under emergency circumstances which are determined by the President. The members shall be notified of the purpose(s) for which a general meeting is being called.
4. Quorum: Thirty percent of all the regular members who have voting rights on the day of the meeting shall constitute a quorum at any general meeting.
5. Voting: Every decision shall be made by a majority vote of votes cast, in accordance to the Association's bylaws. In the case of a tie the president shall have a tie-breaker vote except during the elections of the Board of Directors where the elections commissioner will have a tie breaking vote. Voting on a resolution shall be completed during the general meeting through a secret ballot. Voting for the new Board of Directors shall be by secret ballot after the annual general meeting for a period of not less than 4 hours.

## **ARTICLE VI - ELECTION PROCEDURE**

1. An election committee consisting of at least two members shall be appointed by the Board of Directors.
2. No member of the election committee shall seek or accept a nomination to any office involving membership on the forthcoming Board of Directors.
3. The notice of the annual general meeting shall also inform the general body of the composition of the election committee.

4. The Board of Directors will provide the election committee with the current list of regular members in March.
5. The election committee shall ensure that the nominated individuals have accepted their nomination and the actual elections are conducted in accordance with the provisions of this constitution.
6. The balloting shall be confidential and the members shall cast votes during the time and place indicated.
7. It is strongly recommended that a team of five be nominated to run the affairs of the Association. Team nominations are encouraged because of the team work required to accomplish the Association's business. Individual nominations for the various office positions will also be accepted.
8. In the event of individual nominations for a specific position, the candidate with the highest vote shall be declared elected. In the case of a tie between two or more candidates, the chairman of the election committee shall have a tie-breaking vote.
9. In the event of a single slate of candidates it will be considered as an election through acclamation should no one offer themselves as a candidate against the nominated slate before the end of the annual general meeting.
10. The results of the elections, countersigned by all members of the election committee, shall be posted at the centre or a pre-designated place selected by the election committee after the polling has closed and votes counted.
11. The election committee shall hand over all documents relating to the election to the new Board of Directors.

## **ARTICLE VII - BOARD OF DIRECTORS**

1. Composition: The Board of Directors of the Muslim Association of New Brunswick shall, at minimum, consist of the following members to be elected each year for a term of one year:
  - a. President
  - b. Vice President
  - c. Secretary / Treasurer
  - d. Two Executive Members
2. Qualification for Members of the Board of Directors: For a member to be elected his/her nomination papers shall be in accordance with Article VI and shall also satisfy the following conditions:

- a. He/she has been a regular member of the Association for the preceding Six months except for the president who should be a member in good standing for a period of not less than one year.
  - b. He/she shall be at least 21 years of age.
  - c. He/she has not served on the Board of Directors before in any capacity for two consecutive years in the immediately preceding two years.
  - d. He/she does not have a criminal record.
3. Responsibilities of the Officers:
- a. The President shall be responsible for maintaining efficient administration of the Board of Directors. He/she shall perform all other duties usually related to the office of the President. This includes the right to call the meetings of the Board of Directors and Committees as and when he/she shall consider necessary and to delegate duties to other officers as he/she sees fit, and the right for officially representing the Association or selecting another member to do the same. He/she shall preside at the general meetings of the Association and at all meetings of the Board of Directors. The President shall have the power to spend up to a maximum of \$1000 on getting verbal approval of the Board of Directors.
  - b. The duties of the vice-president shall be assigned by the president as appropriate. In the event the President is unable to complete his/her term, the vice- president will take over the responsibilities of the President for the remaining term without election.
  - c. The Secretary/treasurer shall keep minutes and all meeting of the Board of Directors. He/she shall keep a permanent record of all activities of the Association, all formal decisions. He/she shall conduct all correspondence, except where authority has been delegated to the chairperson of an appointed committee, and shall report on correspondence to the meetings. He/she shall notify the members of the coming activities and the general meetings. He/she shall call the meetings of the Board of Directors after the President's approval. He/she shall prepare annual statements as required by law under the New Brunswick Corporation Act and other federal/provincial legislation and submit these reports to the proper authorities after clearing them with the President. He/she shall also receive and safely keep all monies received by the Association and pay out the same when this is approved by the Board of Directors. Only the Secretary/Treasurer shall issue official receipts
  - d. In addition to the duties specifically listed in this sub-article, the Board of Directors, under the direction of the President, shall responsible for, and shall distribute among members of the Board of Directors, any and all other activities related to the objectives of the Association. The members of the Board of Directors shall attend all Board of Director meetings.

- e. All public statements or news release will be issued by the President in consultation with the Board of Directors. No other member will issue any statements on behalf of the Association unless delegated to do so by the president.
- 4. Quorum: The Board of Directors shall meet whenever necessary or the circumstances dictate. The President/ VP, Secretary/Treasurer and at least one other members of the Board shall constitute a quorum.
- 5. Powers and duties of the Board:
  - a. The management of the affairs of the Association, including the determination of progress, policies and operating expenses shall be vested in the Board of Directors.
  - b. The Board of Directors shall have the privileges to release by a two -third majority vote, any of its directors from his/her position on the Board if he/she misses, without a reason acceptable to the remaining members of the Board, two consecutive Board meetings or if he/she is convicted of a criminal offence, indulges in activities which are contrary to the objectives of the Association or uses the Association to serve political aspirations of any country or people.
  - c. If a vacancy on the Board occurs, the Board of Directors shall call a by-election within one month if the number of directors falls below four. The by-election shall follow the same format as the general election.
- 6. Signing of Cheques:
  - a. In order to pay for expenditures authorized by the Board of Directors any two of the President, Vice president, Secretary/Treasurer shall sign all cheques on behalf of the Association.
  - b. The President or in his/her absence, the Secretary/Treasurer shall initial all statements of accounts maintained in the name of the Association with different banking institutions.
  - c. Each year, within a week after elections or when any of the above officers is replaced, the President shall notify the bank about changes in authority in clause 1 above.

## **ARTICLE VIII – COMMITTEES**

- 1. The Board of Directors shall delegate some of its responsibilities by forming committees with specific responsibilities and duties for a term of no more than one year. These committees may include but are not limited to educational committee, religious committee, cemetery committee and ladies auxiliary committee. These committees may recommend expenditure to the Board, but they will not have any spending powers.

2. After the expiry of the term of a committee, the chairperson shall return all files, letters, records and any other item acquired for the purpose of his/her committee, to the Secretary of the Association.

#### **ARTICLE IX - APPOINTMENT AND RESPONSIBILITIES OF THE IMAM**

1. The Association should appoint a full-time/part-time imam if there is sufficient funds to engage someone on a long-term basis. As and when it happens, the choice of an Imam shall be approved by a majority vote of the regular members of the Association either in person at a general meeting or by private ballot.
2. The Imam must have very strong background in Islamic knowledge. He should have a good command of the English language and be fluent in Arabic.
3. The Imam will abstain from political activities, sermons or words designed to serve the interests of any individual or group. He shall contribute towards furthering the objectives of the Association.
4. Until such time that an imam is appointed, knowledgeable members of the community will serve as volunteers and will lead the prayers.

#### **ARTICLE X - THE CENTRE AND RELATED FUNDS**

1. Except for prayers, all extra gatherings in the Centre shall be subject to the advance approval of the Board of Directors.
2. Any postings in the Centre should be approved by the Board of Directors.
3. All membership fees or donations received on behalf of the Association shall be invested or deposited in the name of the *Muslim Association of New Brunswick*.
4. All titles deeds, stocks or other security certificates or valuable papers shall be registered in the name of the *Muslim Association of New Brunswick*.
5. Any major renovations or extension of the facilities will be discussed before the general body.

#### **ARTICLE XI - DISSOLUTION OF THE ASSOCIATION**

- In the event of the dissolution of the present *Muslim Association of New Brunswick*, The general body of the Association will elect/appoint a committee to

deal with the issue. They will be responsible for making payments for all debts and liabilities, hold the funds and other assets of the Association, in trust for a period of not less than two years. The members of the committee shall jointly strive to remove the causes which led to the dissolution of the Association.

- However, in case the *Muslim Association of New Brunswick* is not reorganized within these two years, the members of the committee shall approach a Muslim Association with the same objectives in New Brunswick, or the Maritimes or in Canada in that particular order to take over the centre. The chosen agency will keep the assets of the Association in trust for future use in the New Brunswick region to promote the aims and objectives of the defunct *Muslim Association of New Brunswick*.

## **ARTICLE XII: CONSTITUTIONAL AMENDMENTS**

- The Constitution shall be amended, except Articles II, X (4), XI AND XII by a majority vote of the members attending a general meeting, called at least fourteen days in advance. The notice of amendments shall be sent by the Secretary to all regular members before the meeting. Such amendments shall only be passed by a majority of the votes cast, which shall be not less than fifty per cent of all regular members at the time. Articles II, X (4), XI AND XII shall be amended only if at least seventy per cent of all regular members cast their votes in favour of such amendments.

## **ARTICLE XIII: SEAL**

- The Seal, an impression stamped in the margin hereof, shall be the corporate seal of the Association. This Seal shall be kept in safe custody with the President when applicable.

## **ARTICLE XIV: ACQUISITION AND DISPOSAL OF ASSETS (BUILDINGS, LAND, CEMETARIES)**

1. The Board of Directors, with the approval of the General Body may:
  - a. add to the existing building
  - b. acquire new buildings and land
2. The Board of Directors do not have the authority to:
  - a. borrow a mortgage against existing assets or part of it
  - b. dispose or sell any or all existing assets