

*With the name of ALLAH, Most Merciful, Most Compassionate*



# **BY-LAWS**

of

## **MASJID**

## **UL**

## **MU'MINEEN**

(Legally Known As)

*Nigerian Muslim Association of Greater Houston (NMAGH)*  
8875 Benning Drive, Houston, TX 77031

## **CONTENTS**

<u>Article No.</u>	<u>Description</u>	<u>Page</u>
1.	Preamble	3
2.	Aims, Purpose & Scope	3
3.	Organizational Structure	4
4.	General Assembly	4
5.	Board of Trustees	6
6.	Shura Council	7
7.	Imam Advisory Committee	8
8.	Administrative (Executive) Committee	9
9.	Principal Officers	10
10.	Nomination Process	17
11.	Committees and Sub-Committees	18
12.	Sub Entities	19
13.	Finances	19
14.	Asset Management	20
15.	Oversights	20

## **1.0 PREAMBLE**

This is the adopted By-Laws of *Masjidul-Mu'mineen*, a non-profit, non-political and religious organization. All members have pledged to abide by these By-Laws as a supporting document to the Holy Quran and the *Sunnah* of the Prophet (SAW).

## **2.0 AIMS, PURPOSE & SCOPE**

### ***2.1 Aims***

The main objective of these By-Laws is to provide simplified guidelines to serve the best interest of Islam and Muslims, specifically, members of *Masjidul-Mu'mineen*.

### ***2.2 Purpose***

This organization shall therefore:

- a. Strive to propagate Islam.
- b. Conduct all activities according to the Islamic teachings as prescribed in the Qur'an and Sunnah.
- c. Promote Unity and togetherness among members of *Masjidul Mu'mineen* and all other Muslims.
- d. Encourage and empower members with the basic knowledge and competence to meet human needs in conformity with Islamic doctrines and beliefs.

### ***2.3 Scope***

- a. These By-Laws shall be binding on all members or any participant servicing the interest of the Masjid.
- b. These By-Laws shall supersede any and all other rules and procedures developed by any group or committee of the Masjid.
- c. Where the By-Laws does not expressly address an issue, the decision of the *Shura Council* on such an issue shall be deemed applicable and final.

### **3.0 ORGANIZATIONAL STRUCTURE**

The organizational set-up of *Masjidul-Mu'mineen* shall comprise the following:

- 3.1 General Assembly (GA);
- 3.2 Board of Trustees (BOT);
- 3.3 SHURA Council (SC);
- 3.4 Imam Advisory Council (IAC); and
- 3.5 Administrative/Executive Council (AEC)

### **4.0 GENERAL ASSEMBLY**

#### ***4.1 Composition of General Assembly***

The General Assembly (GA) shall be constituted in a meeting of all registered, honorary, associate and nominal members of the organization. There shall be at least three (3) General Assembly in a year, where as much as practicable, decision shall be by consultation and consensus; but if required, a majority vote shall be required for approval of any action, except as otherwise specified in these By-Laws.

#### ***4.2 Registered Membership***

Regular membership shall be accorded to any declared Muslim who meets the following criteria:

- a. Must belief in and adhere to the precepts of the Holy Quran and the Sunnah.
- b. Must be in good standing with regard to state and/or federal laws.
- c. Must not maintain membership in other organization(s) that are not in compliance with state and/or federal law.
- d. Must accept and agree to the purpose, aims and objectives of *Masjidul Mu'mineen* and comply with these By-Laws.
- e. Must be residing, working, studying or otherwise associated with the Greater Houston area.

- f. Must be registered and listed in the membership register as maintained by the General Secretary.
- g. Must be at least 16 years of age.
- h. Must maintain good standing by attending regular meetings, and supporting organizational initiatives.
- i. Must be current with the payment of an annual, non-refundable membership fee, to be set from time to time by *Shura Council*.

### **4.3 Associate/Honorary Membership**

Associate or Honorary membership shall be accorded to any declared Muslim who:

- a. Meets **all** the criteria listed in Article 4.2.a; Article 4.2.b; Article 4.2.c; Article 4.2.d; and Articles 4.2.e; but...
- b. ...however fail to meet **one** or **more** of the criteria listed in Articles 4.2.f; Articles 4.2.g; Articles 4.2.h; and Articles 4.2.i.

### **4.4 Rights of Membership**

Registered members shall thus enjoy the following privileges:

- a. The right to vote on all matters affecting the organization.
- b. The right to nominate and be nominated to any position, if deemed qualified.
- c. The right to enjoy discounts and other benefits that may become available from time to time.

### **4.5 Discontinuation of Membership**

A member may be suspended for conviction in a court of law for committing a criminal act or being a member of an organization involved in an illegal act. A member may resign or withdraw membership by submitting a notice to the General Secretary.

## **5.0 BOARD OF TRUSTEE (BOT)**

### **5.1 *Composition of BOT***

The Board of Trustees (BOT) shall comprise declared Muslims. Trustees shall have lifestyles of honourable Muslims. The outlook of the Trustees shall transcend race, ethnicity and culture. The BOT shall comprise nine (9) members including a Chairman and a Secretary. No two family members can serve on the BOT at the same time.

The Board of Trustees shall comprise of the following:

- a. Seven members selected by the *Shura Council* with at least three (3) individuals being honorary or associate members from outside the organization/community.
- b. The Administrative Coordinator.
- c. One member representing the North American Islamic Trust (NAIT).

The Presiding Officer shall be elected from the membership in (a) above. The board shall meet at least twice every year. The BOT shall adopt guidelines to govern their operations and affairs.

### **5.2 *Tenure of BOT***

Trustees shall serve for a period of five (5) years. Trustees in 5.1 (a) above shall be eligible to serve for multiple terms and selected to serve by the *Shura Council* in three (3) pools as stated below:

- a. Pool A shall constitute three (3) trustees with at least one (1) individual from outside the immediate community. Pool A's term shall be from Year 1 through the end of Year 5.
- b. Pool B shall constitute two (2) trustees with at least one (1) individual from outside the immediate community. Pool B's term shall be from Year 2 through the end of Year 6.
- c. Pool C shall constitute two (2) trustees with at least one (1) individual from outside the immediate community. Pool C's term shall be from Year 3 through the end of Year 7.

### **5.3 *Responsibilities of BOT***

- a. Ensure that the vision and mission of the organization's charter and laws are being followed.
- b. Appoint, assess, and if necessary, terminate the appointment of the Imam and be responsible for the budget, changes and payment of the remuneration for Imam.
- c. Negotiate and implement terms and conditions of service for the Imam on behalf of the organization.
- d. Intervene and Arbitrate when necessary to resolve dispute(s) and conflict(s) referred to it beyond the capabilities of the *Shura Council*.
- e. Shall not be responsible for the day to day running of the organization.

## **6.0 SHURA COUNCIL (SC)**

### **6.1 *Composition of SC***

The *Shura Council* (SC) shall be the major decision making apparatus of the organization. The *Shura Council* (SC) shall comprise of nine (9) people as follows:

1. Imam (Chairman)
2. The Administrative Coordinator
3. Women Coordinator
4. Imam Advisory Council Representative
5. Endowment (*Mumineen Foundation*) Representative
6. Zakat (*Mumineen Relief*) Representative
7. Education (*TTY*) Representative
8. Elders' Forum Representative
9. Youth Representative, who must be at least 25 years old at the time of his/her appointment to the Council.

### **6.2 *Tenure of SC***

Members of the *Shura Council* (SC) shall serve for a period of four (4) years except for the Administrative Coordinator and the Women-Coordinator whose tenure will be three (3) years as provided for in the By-Laws. No two family members can serve on the *Shura Council* (SC) and the Administrative (Executive) Council (AEC) at the same time. Members shall be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.

### **6.3 *Responsibilities of SC***

- a. Propagate the mission of the organization.
- b. Ratify and approve policies and procedures for managing the organization.
- c. Ratify and approve and the establishment of new Committees and the discontinuance of existing Committees.
- d. Provide guidance and support to the Imam Advisory Council (IAC) and the Administrative (Executive) Council (AEC).
- e. Review and regulate the activities of the Imam Advisory Council (IAC) and the Administrative (Executive) Council (AEC).
- f. Appoint members of the Nominating Committee; Security & Safety Committee and Audit/Compliance/Legal Committee and ratify their proposals.

### **6.4 *Meetings of SC***

The meetings of the *Shura Council* (SC) shall be held at least six (6) times within a fiscal year. *Shura Council* may meet on an emergency basis as agreed or called by the Chairman. The *Shura Council* (SC) shall adopt guidelines to govern their meetings and affairs.

## **7.0 IMAM ADVISORY COUNCIL (IAC)**

### **7.1 *Composition of IAC***

The Imam Advisory Council shall assist the Imam and the community on all religious and spiritual (*fiqh*) matters. The Council shall be headed by the Imam and comprise of six (6) additional members to be appointed by the Imam possessing the following qualifications:

- a. Good knowledge of Islam, *Shariah* and Islamic jurisprudence.
- b. Good knowledge of the Qur'an and the Sunnah.
- c. Good knowledge of the community.
- d. Shall be an active member of the organization for at least six (6) months.

Members of the Imam Advisory Council shall not concurrently serve in the Administrative (Executive) Council (AEC).

### **7.2 *Tenure of IAC***

Members of the Imam Advisory Council shall serve for a period of four (2) years. Members shall be eligible to serve for multiple terms subject to a limit of three (3) consecutive terms.

### **7.3 *Responsibilities of IAC***

- a. Research and advice on spiritual matters.
- b. Assist Imam in the discharge of his duties.
- c. Act as representative of the Imam and the community.
- d. Constitute Committees for submission to *Shura Council* (SC) for ratification.
- e. Regularly provide progress report on the activities of all Committees under its supervision to the *Shura Council* (SC).
- f. Provide any and all other spiritual assistance as needed by the Imam.



## **8.0 ADMINISTRATIVE (EXECUTIVE) COUNCIL (AEC)**

### **8.1 *Composition of AEC***

The Administrative Council shall consist of the following officers:

1. The Administrative Coordinator.
2. The General Secretary.
3. The Financial Secretary.
4. The Treasurer.
5. The Publicity Secretary.
6. The Welfare Secretary.
7. The Women Co-ordinator.
8. The Assistant Women Co-ordinator.
9. The Women Welfare Secretary.

### **8.2 *Tenure of AEC***

Members of the Administrative Council shall serve for a period of three (3) years. Members shall be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.

### **8.3 *Responsibilities of AEC***

- a. Execute decisions taken by the *Shura* Council not within the jurisdiction of the Imam Advisory Council.
- b. Initiate and set policies and procedures for the day to day management of the organization for submission to *Shura* Council for ratification and approval.
- c. Implement guidelines to carry out the day to day management of the organization.
- d. Constitute Committees for submission to *Shura* Council for ratification.
- e. Regularly provide progress report on the activities of all Committees under its supervision to the *Shura Council* (SC).
- f. Provide any and all other assistance as needed by the Imam and the *Shura Council*.

## **9.0 PRINCIPAL OFFICERS**

### **9.1 *Imam***

#### **9.1.1 *Qualification of Imam***

- a. The Imam shall be a person in good standing with secular law and the Islamic *Sharia*.
- b. The Imam shall possess a degree in Islamic studies.
- c. The Imam shall possess good communication skill.

#### **9.1.2 *Tenure of Imam***

- a. The Imam shall be under contract for a single term of five years subject to renewal.
- b. The Imam may resign his appointment by notice. The notice shall be at least six month and be submitted to the Board of Trustee.

#### **9.1.3 *Responsibilities of Imam***

- a. The Imam shall be responsible for leading, or designate a qualified alternate to lead, all the five daily prayers and other religious activities in the community.
- b. The Imam shall be the presiding officer of the Shura Council and exercise general supervision over the affairs of the *Masjidul Mu'mineen*.
- c. The Imam shall be the chief spokesperson for the *Masjidul Mu'mineen* and serve as a link with other religious entities.
- d. The Imam shall delegate any of the above duties to qualified designee(s).

### **9.2 *Administrative Coordinator***

#### **9.2.1 *Qualification of Administrative Coordinator***

- a. The Administrative Coordinator shall be a person in good standing with local law and the Islamic *Sharia*.
- b. The Administrative Coordinator shall be an active member of the organization for at least one (1) year.
- c. The Administrative Coordinator shall possess a basic knowledge of Islamic doctrines.

#### **9.2.2 *Tenure of Administrative Coordinator***

- a. The Administrative Coordinator shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The Administrative Coordinator may resign his appointment by notice. The notice shall be at least three months and be submitted to the *Shura Council*.

### ***9.2.3 Responsibilities of Administrative Coordinator***

- a. The Administrative Coordinator shall be the presiding officer of the Administrative Council.
- b. The Administrative Coordinator shall be responsible along with other Administrative Council members for the daily operation of the organization in consultation with the *Shura Council*.
- c. The Administrative Coordinator shall be one of the signatories to the account(s) of the organization.
- d. The Administrative Coordinator shall, in consultation with the Imam, the Financial Secretary and the Treasurer, make monthly reports to members and the BOT by way of bulletin and/or presentations.
- e. The Administrative Coordinator shall, in consultation with the Imam, serve a spokesperson for the organization.
- f. The Administrative Coordinator shall delegate any of the above duties to qualified designee.

## ***9.3 General Secretary***

### ***9.3.1 Qualification of General Secretary***

- a. The General Secretary shall be a person in good standing with local law and the Islamic *Sharia*.
- b. The General Secretary shall be an active member of the organization for at least six (6) months.
- c. The General Secretary shall possess a basic knowledge of Islamic doctrines.

### ***9.3.2 Tenure of General Secretary***

- a. The General Secretary shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The General Secretary may resign his/her appointment by notice. The notice shall be at least three months and be submitted to the General Secretary.

### ***9.3.3 Responsibilities of General Secretary***

- a. The General Secretary shall be the custodian of the official records of the organization and in that capacity be the primary note taker and record the minutes of the meetings of the Administrative Council.
- b. The General Secretary shall keep at the principal office of the organization a membership book containing the name and address of each and any members, and, in the case where any membership has been terminated, he or she shall record such fact in the membership book together with the date on which such membership ceased.

- c. The General Secretary shall be one of the signatories to the account(s) of the organization.
- d. The General Secretary shall perform any other duties that the Administrative (Executive) Council (AEC) may delegate to him/her from time to time.

## **9.4 Financial Secretary**

### **9.4.1 Qualification of Financial Secretary**

- a. The Financial Secretary shall be a person in good standing with local law and the Islamic Sharia.
- b. The Financial Secretary shall be an active member of the organization for at least six (6) months.
- c. The Financial Secretary shall possess a basic knowledge of Islamic doctrines.

### **9.4.2 Tenure of Financial Secretary**

- a. The Financial Secretary shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The Financial Secretary may resign his/her appointment by notice. The notice shall be at least three months and be submitted to the General Secretary.

### **9.4.3 Responsibilities of Financial Secretary**

- a. The Financial Secretary shall keep a record of all income, expenditure, assets and liabilities of the organization and make a report available as to the condition of the finances on a periodic basis.
- b. The Financial Secretary shall prepare a budget for the finances of the organization and make a report available as to the comparison with actual on a periodic basis.
- c. The Financial Secretary shall perform any other duties that the Administrative (Executive) Council (AEC) may delegate to him/her from time to time.

## **9.5 Treasurer**

### **9.5.1 Qualification of Treasurer**

- a. The Treasurer shall be a person in good standing with local law and the Islamic *Sharia*.
- b. The Treasurer shall be an active member of the organization for at least six (6) months.
- c. The Treasurer shall possess a basic knowledge of Islamic doctrines.

### **9.5.2 Tenure of Treasurer**

- a. The Treasurer shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The Treasurer may resign his/her appointment by notice. The notice shall be at least three months and be submitted to the General Secretary.

### **9.5.3 Responsibilities of Treasurer**

- a. The Treasurer shall collect and deposits all the funds received on behalf of the organization within 24 hours.
- b. The Treasurer shall perform any other duties that the Administrative (Executive) Council (AEC) may delegate to him/her from time to time.

## **9.6 Publicity Secretary**

### **9.6.1 Qualification of Publicity Secretary**

- a. The Publicity Secretary shall be a person in good standing with local law and the Islamic *Sharia*.
- b. The Publicity Secretary shall be an active member of the organization for at least six (6) months.
- c. The Publicity Secretary shall possess a basic knowledge of Islamic doctrines.

### **9.6.2 Tenure of Publicity Secretary**

- a. The Publicity Secretary shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The Publicity may resign his/her appointment by notice. The notice shall be at least three months and be submitted to the General Secretary.

### ***9.6.3 Responsibilities of Publicity Secretary***

- a. The Publicity Secretary shall, in consultation with the Administrative Coordinator, be the spokesperson for the organization on administrative issues.
- b. The Publicity Secretary shall coordinate with the Imam on all matters of public nature.
- c. The Publicity Secretary shall serve as an assistant/deputy to the General Secretary on matters of official records.
- d. The Publicity Secretary shall perform any other duties that the Administrative (Executive) Council (AEC) may delegate to him/her from time to time.

## ***9.7 Welfare Secretary***

### ***9.7.1 Qualification of Welfare Secretary***

- a. The Welfare Secretary shall be a person in good standing with local law and the Islamic *Sharia*.
- b. The Welfare Secretary shall be an active member of the organization for at least six (6) months.
- c. The Welfare Secretary shall possess a basic knowledge of Islamic doctrines.

### ***9.7.2 Tenure of Welfare Secretary***

- a. The Welfare Secretary shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The Welfare Secretary may resign his appointment by notice. The notice shall be at least three months and be submitted to the General Secretary.

### ***9.7.3 Responsibilities of Welfare Secretary***

- a. The Welfare Secretary shall coordinate all welfare and assistance programs.
- b. The Welfare Secretary shall perform any other duties that the Administrative (Executive) Council (AEC) may delegate to him from time to time.

## **9.8 Women Coordinator**

### **9.8.1 Qualification of Women Coordinator**

- a. The Women Coordinator shall be a person in good standing with local law and the Islamic *Sharia*.
- b. The Women Coordinator shall be an active member of the organization for at least one (1) year.
- c. The Women Coordinator shall possess a basic knowledge of Islamic doctrines.

### **9.8.2 Tenure of Women Coordinator**

- a. The Women Coordinator shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The Women Coordinator may resign her appointment by notice. The notice shall be at least three months and be submitted to the General Secretary.

### **9.8.3 Responsibilities of Women Coordinator**

- a. The Women Coordinator shall coordinate all affairs specific to women of the Masjid.
- b. The Women Coordinator shall be one of the signatories to the account(s) of the organization.
- c. The Women Coordinator shall perform any other duties that the Administrative (Executive) Council (AEC) may delegate to her from time to time.

## **9.9 Assistant Women Coordinator**

### **9.9.1 Qualification of Assistant Women Coordinator**

- a. The Assistant Women Coordinator shall be a person in good standing with local law and the Islamic *Sharia*.
- b. The Assistant Women Coordinator shall be an active member of the organization for at least six (6) months.
- c. The Assistant Women Coordinator shall possess a basic knowledge of Islamic doctrines.

### ***9.9.2 Tenure of Assistant Women Coordinator***

- a. The Assistant Women Coordinator shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The Assistant Women Coordinator may resign her appointment by notice. The notice shall be at least three months and be submitted to the General Secretary.

### ***9.9.3 Responsibilities of Assistant Women Coordinator***

- a. The Assistant Women Coordinator shall assist the Women Coordinator regarding all affairs specific to women in the Masjid.
- b. The Assistant Women Coordinator shall perform any other duties that the Administrative (Executive) Council (AEC) may delegate to her from time to time.

## ***9.10 Women Welfare Secretary***

### ***9.10.1 Qualification of Women Welfare Secretary***

- a. The Women's Welfare Secretary shall be a person in good standing with local law and the Islamic *Sharia*.
- b. The Women's Welfare Secretary shall be an active member of the organization for at least six (6) months.
- c. The Women's Welfare Secretary shall possess a basic knowledge of Islamic doctrines.

### ***9.10.2 Tenure of Women Welfare Secretary***

- a. The Women's Welfare Secretary shall serve for a period of three (3) years and be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.
- b. The Women's Welfare Secretary may resign her appointment by notice. The notice shall be at least three months and be submitted to the General Secretary.

### ***9.10.3 Responsibilities of Women Welfare Secretary***

- a. The Women's Welfare Secretary shall coordinate all assistance programs specific to women in the masjid and the community.
- b. The Women's Welfare Secretary shall perform any other duties that the Administrative (Executive) Council (AEC) may delegate to her from time to time.



## **10.0 NOMINATION PROCESS**

### ***10.1 Composition of Nominating Committee***

The Nominating Committee (NC) shall comprise of five (5) members to be appointed by the *Shura Council* to oversee and supervise the nomination of principal officers other than the Imam. The members of the Committee shall serve for a term of two years. Members of the Committee shall be eligible to serve for multiple terms subject to a limit of two (2) consecutive terms.

### ***10.2 General Guideline for Nominations***

1. The Committee shall ensure appropriate procedures are in place for the selection and presentation of qualified candidates for ratification by the *Shura Council* and the General Assembly.
2. The Committee shall embark on a screening process to establish that candidates are qualified for the positions for which they were nominated.
3. If there are more than one candidate deemed qualified for one position, names shall be drawn by a minor selected by consensus of all members of the Committee.
4. The process shall also involve interviews/meetings with nominated candidates before ratification by the *Shura Council* and presentation to the General Assembly.

### ***10.3 Timeline for Nominations***

Nominating process shall commence on the 1<sup>st</sup> of September in the year of nomination and conclude latest by 30<sup>th</sup> of November (90 days). The transition process from the outgoing Administrative Council to the new Administrative Council shall be from the date of the Formal *Announcement* through *Swearing In Ceremony* to be held no latest than the following January 30th. The term of office of the Administrative Council shall however formally commence on the 1<sup>st</sup> day of *January* following every year of nomination.

## **11.0 COMMITTEES & SUB-COMMITTEES**

### ***11.1 Composition***

There shall be Standing Committees and Ad-Hoc Committees constituted as agents of the *Shura Council* (SC), the Imam Advisory Council (IAC) or the Administrative (Executive) Council (AEC) as applicable. A standing Committee is a continuous functioning Committee, as provided in 11.2 below for a specified term as indicated in their terms of reference. An Ad-Hoc Committee is a temporary Committee formed for a specific purpose.

The *Shura Council* shall have the authority to create a new standing Committee as deemed necessary. The IAC and the AEC shall have the authority to create Ad-Hoc Committees as deemed necessary. The tenure of Standing Committees shall be three years effective one year after the nomination of new members of AEC. Committee members shall be eligible to serve for multiple terms.

### ***11.2 Sub-Committees & Supervision***

<b>No.</b>	<b>Name</b>	<b>Supervising Committee/Officer</b>
1	Nominating	Shura Council
2	Security & Safety	Shura Council
3	Audit/Compliance/Legal	Shura Council
4	Da'wah	Imam Advisory Council
5	Naming/Marriage/Funeral	Imam Advisory Council
6	Zakat	Admin/Exec. Council
7	Education	Admin/Exec. Council
8	Welfare	Admin/Exec. Council
9	Finance/Reporting	Admin/Exec. Council
10	Asset Management	Admin/Exec. Council
11	Audio-Visual	Admin/Exec. Council
12	Technology	Admin/Exec. Council
13	Endowment / Fund-Raising	Admin/Exec. Council
14	Elders'	Admin/Exec. Council
15	Men's Affairs	Admin/Exec. Council
16	Women's Affairs	Admin/Exec. Council
17	Grandparents' Affairs	Admin/Exec. Council
18	Youth Affairs	Admin/Exec. Council
19	Platform & National Programs	Admin/Exec. Council
20	Public Relations & Media	Admin/Exec. Council
21	Membership/Records	Admin/Exec. Council
22	By-Laws' Amendments	Admin/Exec. Council

## **12.0 SUB-ENTITIES**

There shall exist sub-entities within the organization set to serve a special interest inside and outside of the organization. The existing sub-entities are:

Endowment Group (Mumineen Foundation)  
Zakat Group (Mumineen Relief)  
Elders Forum;  
Education  
Youth Affairs

Each sub-entity shall operate under the guideline of these By-Laws and shall be represented at the Shura Council. Each sub-entity shall have its own policies and guidelines. No guidelines established by the sub entities shall contradict these By-Laws. Every sub-entity must follow the financial reporting and disclosure requirement as provided in these By-Laws.

Any sub-entity which fails to adhere to the provisions of these By-Laws may be recommended for termination by the Shura Council and ratified by the simple majority of the members in a General Assembly.

## **13.0 FINANCES**

### ***13.1 Execution of Instruments***

The *Shura Council* (SC), except as otherwise provided in these By-Laws, may by resolution authorize any officer or agent of the organization to enter into any contract or execute and deliver any instrument in the name of and on behalf of the organization, and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent, or member shall have any power or authority to bind the organization by any contract or engagement or to pledge its credit or to render it liable monetarily for any purpose or in any amount.

Except as otherwise specifically determined by resolution of the *Shura Council*, or as otherwise required by law; checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the organization shall be signed by any two persons amongst the following:

- A. The Administrative Coordinator
- B. The Women Coordinator
- C. The General Secretary.

Any fund in excess of \$2,500 shall be disbursed only if it is approved by the Shura Council.

### ***13.2 Deposits.***

All funds of the organization and all its sub-entities and Committees shall be deposited from time to time to the credit of the organization ONLY into such banks, trust companies, or other depositories as the Shura Council may select and approve.

### ***13.3 Contributions, Income and Gifts.***

The agents and officers of the organization may accept on behalf of the organization any contribution, gift, bequest, dues, pledges, or devise for the nonprofit purposes of this organization and in accordance with Islamic principles.

### ***13.4 Budget & Reporting***

An annual budget shall be prepared by the Financial Secretary, in consultation with the AEC and submitted to the Shura Council for approval, at least two weeks before the commencement of a fiscal year. A fiscal year shall be defined under Islamic calendar running from Muharram through Dhul Hijjah.

Extraordinary expenditures, not covered by the budget, must be approved by the *Shura Council*.

All sub-entities and Committees shall submit a periodic financial report on a quarterly basis to the Financial Secretary who shall consolidate the report for display and distribution to the General Assembly. Furthermore, such reporting shall be presented during a gathering of all members, such as Family Halaqa or other such events, within 30 days after the close of the quarter being reported.

### ***13.5 Restricted Funds***

Restricted funds shall be any fund earmarked for a specified purpose by the donor, or by the *Shura Council*. These funds shall not be used for any other purpose, except as agreed by the *Shura Council* on an emergency basis ONLY.

### ***13.6 Loans & Advances***

The fund of the organization shall be used only to advance the aims and objectives of the organization. No loans and/or advances shall be permitted in all circumstances, except as approved by the *Shura Council*.

Such approved exceptions which shall be documented as **Guidelines for Loans and Advances**, shall include terms of repayments and other processes and records.

### ***13.7 Professional Consultants***

- a. The organization shall retain the services of an Accountant/Tax Consultant for the preparation of tax returns and disposal of all queries from tax authorities arising from the submittal of such returns.
- b. The organization shall retain the services of an External Auditor for the purpose of reviewing and certifying the financial report prepared by the Financial Secretary.

## **14.0 ASSET MANAGEMENT**

The General Secretary in consultation with the Financial Secretary shall maintain an inventory listing of all assets owned or leased by the organization and ensure proper safekeeping.

All deeds to NMA organization assets shall be under the trust fund of North American Islamic Trust (NAIT).

## **15.0 OVERSIGHTS**

### ***15.1 Authorities***

The *Shura Council* (SC)., in consultation with the Board of Trustees shall have the authority to intervene in conflict resolutions amongst its members, Committees and sub-entities.

### ***15.2 Petitions/Dismissal***

The *Shura Council* (SC)., in consultation with the Board of Trustees shall dispose of all petitions concerning misappropriation of funds, frauds, corruption, violation of the constitution and other misdemeanor(s).

### ***15.3 Interpretations***

In case of any ambiguity regarding the interpretation of any part of these By-Laws, or the possible conflict between two or more sections, the interpretation of the *Shura Council* (SC)., in consultation with the Board of Trustees shall be deemed final.

### ***15.4 Transitional Provision***

To provide for an orderly full implementation of these By-Laws, and only to the extent and for the time required to accomplish such a situation, the *Shura Council* as constituted at the time of the adoption of these By-Laws shall institute guidelines for the appointment of members of the BOT and the representatives of the entities identified in Article 12. Such a guideline shall continue in effect until modified or amended in accordance with these By-Laws.

**Endorsements**

*A1. Accepted by unanimous agreement by members of the By-Law Review Committee being present on: March 20, 2011*

*A2. Accepted by unanimous agreement by members of the Administrative Committee being present on: April 24, 2011*

*A3. Accepted by unanimous agreement by members of the Shura Council being present on: .....*

*A4. Accepted by unanimous agreement by members of the General Assembly being present on: .....*

DRAFT