



## The Charter and By-Laws

ICNA Canada  
(Islamic Circle of North America - Canada)  
2014

Discussed and finalized by	Board of Directors مجلس الشورى	Dates:	11 October 2014 25 October 2014 28 September 2014 15 November 2014
Approved by	Annual General Assembly	Dates:	20 December 2014

# Foreword

21st Dec, 2014

The Charter and by-laws in its present form is the result of amendments duly approved by members of general assembly in the annual general assembly meeting held on 20th Dec, 2014. The amendments were approved by 2/3rd majority as required by Charter and by-laws reference to article 29.2.

Following are the steps taken for the approval of amendments.

1. Members of General Assembly provided their input for proposed amendments.
2. Charter and by-laws committee reviewed and re drafted the suggestions with some additions.
3. The Charter and By-laws committee presented the draft to Board of Directors for deliberation. Board in its sessions 28th Sep, 11th & 25 th Oct and 15th Nov, 2014 deliberated each articles proposed for amendments
4. Minutes of board meetings with the approved and rejected suggestions were also circulated to MGAs for their information.
5. Each articles proposed for amendment presented to the General assembly one by one. Reasonable time was allotted to each article.
6. Articles of by-laws that were amended are summarized in Appendix- 1 (See Summary of ammendents-2014)

May Allah bless and reward the efforts of all MGAs, members of Charter and By-laws committee and members of Majlis-ash- shura who participated in the efforts to improve the By-laws. This will insha-Allah help the organization to run efficiently.

Jazak-Allah Khair

Arif Jahangiri  
Secretary General  
Islamic Circle of North America- Canada

# بِسْمِ الرَّحْمَنِ الرَّحِيمِ

## TABLE OF CONTENTS

### The Charter

Article 1: Name	6
Article 2: Effective Date	6
Article 3: The Creed (Aqeedah)	6
Article 4: Goal:	7
Article 5: Objectives:	7
Article 6: Methodology:	8

### By- Laws

Article 1: Membership	9
Article 2: Structure	9
Article 3: The General Assembly	9
Article 4: The President (أمير)	13
A) Role of the President(أمير)	13
B) Election of the President (أمير):	13
C) Qualifications of the President (أمير):	14
D) Responsibilities of the President (أمير):	14
E) Powers of the President (أمير):	15
Article 5: The Board of Directors (مجلس الشورى)	16
A. Structure and Function:	16

B. Qualifications of members of the Board of Directors (مجلس الشورى):	17
C. Rights of members of the Board of Directors (مجلس الشورى):	17
D. Responsibilities of members of Board of Directors (مجلس الشورى):	18
E. Meetings:	19
Article 6: The Vice President	20
Article 7: The Secretary General	20
Article 8: Central Departments	21
Article 9: Finances and Treasury	22
Article 10: ICNA CanadWings	23
Article 11: Central Divisions	24
Article 12: Central Projects	25
Article 13: Regions	26
Article 14: The Regional President	26
Article 15: The Regional Board (الشورى)	27
A. Structure	27
B. Meetings:	27
C. Rights and Responsibilities	27
Article 16: The Regional Secretary	27
Article 17: The Chapters:	28
Article 18: The Chapter President:	28

Article 19: Neighbour-nets	29
Article 20: Elections	30
A. Principles of Election	30
B. Procedure of Elections:	31
Central Elections:	
Article 21: Etiquettes of expressing differences of opinion	33
Article 22: Removal of the President (أمير)	33
Article 23: Removal of member of the Board of Directors (مجلس الشورى)	34
Article 24: Filling a vacant seat of Board (الشورى)	34
Article 25: Suspension of a member of the General Assembly	34
Article 26: Cancellation of membership of the General Assembly	35
Article 27: Expulsion of a member of the General Assembly	36
Article 28: Method of Expulsion	36
Article 29: Amendment and Addition to the Charter and By-Laws	37

بِسْمِ الرَّحْمَنِ الرَّحِيمِ

## The Charter

### Name, Creed, Goal, Objectives and Methodology

#### Article 1: Name

The name of this organization shall be “ICNA Canada”. ICNA Canada stands for “Islamic Circle of North America, Canada.”

#### Article 2: Effective Date

This Charter and By-Laws with amendments comes into effect from Dec 21, 2014.

#### Article 3: The Creed (Aqeedah)

The Creed (basic belief) of ICNA Canada is:

لَا إِلَهَ إِلَّا اللَّهُ مُحَمَّدٌ رَّسُولُ اللَّهِ

“La ilaha illallah, Muhammadur Rasoolullah” that is, there is no deity (Ilah) except Allah; Muhammad (peace and blessings be upon him) is the Messenger of Allah.

A. La ilaha illallah means that Allah Subhanahu Wa Ta'ala (SWT) alone is the Creator, Sustainer, Lord, and Sovereign of the whole universe.

B. Muhammadur Rasoolullah implies that Muhammad Sallallahu Alaihi Wasallarn (SAW) is the last Messenger and prophet sent by Allah (SWT) with the final, complete and authentic message, and that he was entrusted with establishing a model for the humanity based on His guidance.

**Article 4: Goal:**

The goal of ICNA Canada is to seek the pleasure of Allah (SWT) by total submission to Him and through the propagation of true and universal message of Islam, which was revealed by Allah (SWT) in the last book, “Al-Qur’an” and through His last messenger, Muhammad (SAW).

**Article 5: Objectives:**

The objectives of ICNA Canada are as follows:

1. Invite mankind towards submission to the Creator by using all possible means of communication.
2. Motivate Muslims to perform their duty of being witnesses unto humanity by their words and deeds, individually and collectively.
3. Invite mankind towards submission to the Creator by using all possible means collectively.
3. Invite Muslims to establish Islam in all aspects of their lives.
4. Offer educational and training opportunities to increase Islamic knowledge, to enhance character, and to develop skills of all those who are associated with ICNA Canada.
5. Oppose immorality and oppression in all forms and work for peace, justice and equality among all segments of the community, especially the poor and under privileged.
6. Strengthen the bonds of humanity by serving all those in need in Canada or elsewhere in the world, and work for their betterment regardless of race, color, sex, religion or origin.
7. Establish community centers and places of worship

- for Muslims.
8. Organize those who agree to work for these objectives in the discipline of ICNA Canada.
  9. Cooperate with other organizations for the attainment of aforementioned objectives.

**Article 6: Methodology:**

To attain its goals, the methodology of ICNA Canada shall be based on the following:

1. The Qur'an and the Sunnah shall be the primary source of guidance.
2. ICNA Canada shall never utilize means that violate the Islamic principles.
3. ICNA Canada shall utilize democratic, legal and peaceful means to achieve its objectives.
4. ICNA Canada shall disseminate the message of Islam, provide intellectual and moral training to build the Islamic character and conduct, and educate the public about its goal and objectives.



# By-Laws

## Part I Membership

### Article 1: Membership

Any Canadian citizen or permanent resident of Canada, regardless of race, color, ethnicity, family or gender, can become a member of ICNA Canada, provided that he/she:

1. Agrees with the creed, goal, objectives and methodology of ICNA Canada.
2. Tries to practice Islam in his/her life.
3. Extends cooperation to achieve the objectives of ICNA Canada.
4. Has studied the required literature, as per the prescribed syllabus to become a member.
5. Submits the prescribed membership form, duly approved by the chapter or regional President.

## Part II

### Central Organization

### Article 2: Structure

The central organization (نظم) shall comprise of the following:

1. The General Assembly
2. The President (أمير)
3. The Board of Directors (مجلس الشورى)
4. The Vice President
5. The Secretary General
6. The Treasurer
7. The Heads of Central Departments (Committees), Divisions, Wings and Project

### Article 3: The General Assembly

1. The General Assembly shall be the final authority in all matters concerning ICNA.
2. Any member of ICNA, can become a member of the General Assembly, provided that he/she:
  - a. Has acquired the adequate knowledge of Deen (الدين) to be able to distinguish between

- Islam and non-Islam.
- b. Observes the obligatory commandments of Islamic Law (الشريعة) and abstains from the major sins.
  - c. Does not earn his/her livelihood by means which may be described as immoral or sinful, e.g. involvement in riba (interest or usury), liquor, adultery, promotion of vulgarity, false witnessing, bribery, embezzlement, stealing, or gambling, etc.
  - d. Pledges to abide by the discipline of ICNA in conformance with its Charter and By-laws.
  - e. Attends Chapter meetings and other programs of Chapter regularly since last six months.
  - f. Pays regular contribution (Ayana) to ICNA Canada.
  - g. Any member can apply for member of general assembly and submit his/her application to chapter/Regional president.
  - h. Has studied the required literature, as per the prescribed syllabus and Charter and By-Laws to become a member of general assembly
3. A member of ICNA Canada shall become a member of the General Assembly only when the Chapter President has informed chapter MGAs and recommends his/her application to the Regional President, and the Regional President after the due diligence recommends the MGA application to the President (أمير). The President (أمير) of ICNA Canada will finally approve his/her application.
  4. For the areas where an ICNA Canada chapter does not exist, Article 3.2.e shall not be applicable. President (أمير) may approve the application with the consultation of Regional President.
  5. If the Chapter President/Regional President/

President (أمير) chooses not to approve an application for membership of the General Assembly, Chapter president shall inform the applicant and the chapter MGAs the reason(s) thereof within one month. The Regional President shall inform the relevant chapter president the reasons(s) thereof within one month. President (أمير) shall inform the relevant chapter and regional president the reason(s) thereof within one month.

6. Every member of the General Assembly shall take prescribed oath in the presence of the President (أمير), his representative or the General Assembly.
- 7.1 Every member of the General Assembly shall endeavor:
  - a. To improve his/her knowledge of Islam on a continuous basis.
  - b. To mold his/her personal, family and social life in accordance with the Qur'an and the Sunnah.
  - c. To introduce the dawah of ICNA to his/her family, friends and acquaintances.
  - d. To provide proper Islamic training for his/her children and to encourage their participation in the activities of ICNA.
  - e. To encourage and extend all possible support to any member of his/her family who is actively involved in the activities of ICNA.
  - f. To reform with patience and wisdom a spouse or a guardian, who is involved in un-Islamic activities or earns his/her living through forbidden (haraam) means.
  - g. To undertake an organized struggle for the establishment of Islam and the propagation of its message;
  - h. To invite those who agree with the aqeedah (creed) of ICNA to join the movement and help achieve its goal.

- i. To abstain from all such activities, which conflict with the goal and methodology of ICNA
- j. To make ICNA Canada's work and activities his/her priority and not to take part in activities that competes or contradicts with the ICNA Canada's activities /goals without the prior permission of President (أمير) or designate.
- k. Not to become a member of another non-profit/charitable organization without written permission of President (أمير)
- l. ICNA Canada projects when entrusted to one more MGAs can't be transferred to other organization for one reason or other. Failure to comply with this may result in suspension or expulsion of such MGA.

## 7.2 Responsibilities of Member of General Assembly:

- a. Place obedience and faithfulness to Allah (SWT) and His last Messenger (SAW) above everything else in their lives.
- b. Advise the President (أمير) and Board (الشورى) in formulating ICNA Canada's policies, strategies and action plans during General Assembly.
- c. Express their honest opinion according to the best of their knowledge and understanding and cast their vote /opinion in all levels of Elections and abstain from canvassing.
- d. Safeguard fully the trusts entrusted to him/her and Carry out the responsibilities assigned to them diligently.
- e. Abstain from creating groupings and causing divisions within ICNA Canada and to help forestall any such incidence.
- f. Attend meetings of General Assembly,

## Chapter and Neighbor Net.

- g. Pay financial contribution regularly.
  - h. Has studied the Charter and By-laws and the required literature as per the prescribed syllabus
  - i. Should not get involved in any major sin.
8. The General Assembly shall meet at least once in two years.
  9. The President (أمير) or the Board of Directors (مجلس الشورى) may call a meeting of the General Assembly whenever needed.
  10. At the request of ten percent of members of the General Assembly, the President (أمير) shall call a meeting of the General Assembly as soon as possible.
  11. With the exceptions mentioned in this Charter and By-Laws, a simple majority of the members present in a General Assembly meeting shall be decisive.

### **Article 4: The President (أمير)**

#### **A) Role of the President (أمير)**

1. The President (أمير) shall be the head of the organization ultimately responsible to guide and lead ICNA Canada in attainment of its goal and objectives. He shall be the official spokesman for ICNA Canada and the chairman of its Board of Directors (مجلس الشورى)
2. The President (أمير) shall be answerable to the Board of Directors (مجلس الشورى) and to the General Assembly.

#### **B) Election of the President (أمير):**

1. The President (أمير) shall be elected by the General assembly for the term of two years.
2. If at any time the President (أمير) temporarily cannot perform his responsibilities, he shall appoint the Vice President, or in case of more than one vice

presidents, one of them, as an acting President (أمير) for a maximum period of six months.

3. If the office of the President (أمير) becomes vacant during the term due to his resignation, removal, or any other reason, the Vice President shall become the acting President (أمير) for a maximum period of six months. If there is more than one vice president, Board of Directors (مجلس الشورى) shall elect one of the vice presidents as the acting President (أمير). A new President (أمير) must be elected before the expiration of the six-month period.

### **C) Qualifications of the President (أمير):**

The President (أمير) shall:

1. Neither seek nor campaign for the office.
2. Be on the whole, the best of all among the MGAs of ICNA Canada in respect of the knowledge of the Quran and the Sunnah, Taqwa (piety), wisdom, vision and soundness of opinion, honesty, justice, sacrifice, patience and steadfastness in performing his duties.
3. Have been a member of central Board of Directors (مجلس الشورى) for at least two years
4. Be a citizen or a permanent resident of Canada.
5. Have demonstrated good administrative capabilities.
6. Not have been the President (أمير) for the past two consecutive terms.

### **D) Responsibilities of the President (أمير):**

The President (أمير) shall:

1. Place obedience and faithfulness to Allah (SWT) and His Messenger, Muhammad (SAW) above everything else in his life.
2. Regard the achievement of the goal and objectives of ICNA Canada as his primary obligation.
3. Give preference to ICNA Canada's interests over personal interests.

4. Deal with members/MGAs of ICNA Canada justly and lead them effectively.
5. Safeguard fully the trusts entrusted to him.
6. Abide by this Charter and By-Laws and seek to maintain proper order within ICNA Canada

**E) Powers of the President (أمير):**

President (أمير) shall:

1. In consultation with Board of Directors (مجلس الشورى) appoint one or more vice president(s), General Secretary, department heads, any other office bearers or management personnel needed for the smooth operation of the ICNA Canada and its departments, divisions and projects.
2. Remove or replace any of the appointees during the term, as needed.
3. Take immediate and appropriate action, when needed, concerning important matters.
4. Supervise all administrative activities of ICNA Canada.
5. Deploy the resources of ICNA Canada for the attainment of its goal and objectives within the guidelines given by the Board of Directors (مجلس الشورى)
6. Accept new members into the General Assembly (Article 3.2) or expel any existing member from it. (Article 25, 26)
7. Appoint regional presidents or remove them from their offices. (Article 14)
8. Approve the elections of the presidents of the central wings (where applicable).
9. Approve the elections of the chapter presidents or remove them from their offices. (Article 20)
10. Approve and authorize the use of funds from ICNA Canada's Treasury to pay for On-going projects and expenses.
11. Invite a person(s) to the meetings of the Board

- (الشورى) or to the General Assembly.
12. Call in session a meeting of the General Assembly.
  13. Implement the decisions arrived at by the General Assembly and the Board of Directors (مجلس الشورى) to the best of his judgment and ability.
  14. Delegate any of his powers to the Secretary General, vice presidents or to any other person, in consultation with the Board of Directors (مجلس الشورى)

## **Article 5: The Board of Directors (مجلس الشورى)**

### **A. Structure and Function:**

1. Board of Directors (مجلس الشورى) shall be the policy-making body of ICNA Canada.
2. The basic function of the Board of Directors (مجلس الشورى) shall be to help and advise the President (أمير) in formulating the best possible policies, strategies and action plans for achieving the goal and objectives of ICNA Canada.
3. The Board of Directors (مجلس الشورى) shall consist of elected and, appointed and ex-officio members. They all shall have the same rights, including the voting rights, and the same obligations.
4.
  - a. The President (أمير) in consultation with Board of Directors (مجلس الشورى) shall divide Canada into different electoral areas, as needed, for the representation on the Board of Directors (مجلس الشورى).
  - b. Election of Board of Directors (مجلس الشورى) shall be based on different electoral areas for different work groups of Brothers, Sisters, and Youth of ICNA Canada.
5. The MGAs of each electoral area shall elect one member of the Board of Directors (مجلس الشورى) for every sixteen (or a fraction of eight or more) members of the General Assembly of that electoral area.
6. The election of the members of Board of Directors



- (مجلس الشورى) will be held every two years.
7. The President (أمير), in consultation with the Board of Directors (مجلس الشورى) may appoint members of the Board of Directors (مجلس الشورى) from among members of the General Assembly. The total appointed members, however, shall not exceed half of the elected members of Board of Directors (مجلس الشورى)
  8. The President (أمير) shall preside the Board of Directors (مجلس الشورى) and the Secretary General shall be its secretary and its ex-officio member.

**B. Qualifications of members of the Board of Directors (مجلس الشورى):**

The member of Board of Directors (مجلس الشورى) shall:

1. Neither seek nor campaign for the office.
2. Be, on the whole, the best of all among the MGAs of ICNA Canada in respect of the knowledge of the Qur'an and the Sunnah, piety (Taqwa), wisdom, vision and soundness of opinion, honesty, justice, sacrifice, patience and steadfastness in performing their duties.
3. Have been a member of the General Assembly for at least two years
4. Be a citizen or a permanent resident of Canada.

**C. Rights of members of the Board of Directors (مجلس الشورى)**

1. To help the President (أمير) in formulating ICNA Canada's policies, strategies and action plans.
2. To advise, without apprehension, on central, regional and local appointments and other matters.
3. To carry out ehtisab (criticism and accountability aimed at future improvements) of the President (أمير).
4. To interpret the Charter and By-Laws.
5. To propose auditor(s) to General Assembly for appointment, to deliberate on the Auditor's report and to take any necessary actions on it.
6. To approve the central budget of ICNA Canada and

- to present it to General Assembly for ratification.
7. To review, critique and evaluate the reports of the central, regional and local Organizations.
  8. To set up committees, as needed, in connection with various projects and departments of ICNA Canada and define their limits.
  9. To take all necessary steps to ensure achievement of the goal and objectives of ICNA Canada in accordance with its Charter and By-Laws.
  10. To delegate its rights or some of them, along with any limits which it may deem necessary, to any committee of ICNA Canada, to the President (أمير) or any other person.
  11. To propose to the General Assembly the removal of the President (أمير) from his office provided a two third majority of the Board of Directors (مجلس الشورى) pass a no confidence motion against him

#### **D. Responsibilities of members of Board of Directors (مجلس الشورى)**

The members of the Board of Directors (مجلس الشورى) shall:

1. Place obedience and faithfulness to Allah (SWT) and His Messenger (SAW) above everything else in their lives.
2. Keep a watch on themselves and the President (أمير) in order to ensure that the President (أمير) and Board of Directors (مجلس الشورى) adhere to ICNA Canada's goal, objectives, methodology and Charter and By-Laws.
3. Participate regularly in the meetings of the Board of Directors (مجلس الشورى)
4. Express their honest opinion according to the best of their knowledge and understanding.
5. Bring to the immediate attention of the President (أمير) any issue or problem concerning ICNA Canada and to help in rectifying the situation.
6. Keep in touch with the President (أمير) on a regular basis.

7. Carry out the responsibilities assigned to them diligently.
8. Abstain from creating groupings and causing divisions within ICNA Canada and to help forestall any such incidence.

#### **E. Meetings:**

1. There shall be at least two meetings of the Board of Directors (مجلس الشورى) in a year.
2. The period between any two meetings shall not exceed seven months.
3. The President (أمير) shall call a special meeting of the Board of Directors (مجلس الشورى) as and when deemed necessary.
4. At the written request of one-half of the members of the Board of Directors (مجلس الشورى), the President (أمير) shall call a meeting as soon as possible.
5. The quorum for a meeting shall be two-thirds of the Board (الشورى) members, but if a meeting has to be postponed due to lack of quorum, then no quorum is required for the subsequent meeting.
6. Generally, the Board of Directors (مجلس الشورى) shall seek unanimous decisions but in case of differences the decision of the simple majority of the members present shall be binding.
7. If the President (أمير) differs with the simple majority decision of the Board (الشورى) he may postpone discussion of the matter under consideration until the next meeting of the Board (الشورى) However, the decision taken by the two-third majority of the subsequent Board (الشورى) meeting shall be final.
8. If the President (أمير) could not agree with the Board of Directors (مجلس الشورى) and Board of Directors (مجلس الشورى) also could not have two-third majority, then the matter shall be referred to the General Assembly. Decision of simple majority of the General Assembly shall be final.

9. MGAs may attend the meetings of the Board (الشورى) as observers with the permission of the President (أمير). The President (أمير) shall have the right to debar MGAs from attending certain sessions of the meetings.
10. Communicate decisions/policies approved by Board of Directors (مجلس الشورى) to all MGAs within a month.

#### **Article 6: The Vice President**

1. After the bi-yearly elections, the President (أمير) shall appoint one or more Vice Presidents.
2. Unless removed or replaced by the President (أمير) during the term, the Vice President(s) shall retain their office until the next election takes place and the President (أمير) reappoints or replaces them.
3. The Vice President(s) shall:
  - a. Perform the duties delegated by the President (أمير)
  - b. Serve as the President (أمير) when the elected President (أمير) is away or when the office of the President (أمير) is vacant as per article 4.B.3
  - c. Chair the meetings when the President (أمير) is absent from a meeting (Article 4.B.2).

#### **Article 7: The Secretary General**

1. The President (أمير) shall appoint a Secretary General in consultation with Board of Directors (مجلس الشورى) to look after the administration and operations of ICNA Canada.
2. The person appointed as secretary general shall have the following qualifications:
  - a. be a citizen or permanent resident of Canada,
  - b. have been a member of the General Assembly for at least two years, and
  - c. have good administrative and communication skills.
3. The Secretary General shall render general assistance to the President (أمير). He shall perform

- all those duties and use all those powers entrusted to him by the President (أمير), and shall be answerable to him for his work.
4. The responsibilities of the secretary general include maintaining contact with and Supervising the central departments, and regions.
  5. Maintaining contact and coordinating with wings.
  6. Compiling minutes of the meetings of the Board of Directors (مجلس الشورى) MGAs and circulating the minutes to the members of Board of Directors (مجلس الشورى)
  7. The Secretary General will be custodian of the corporate seal of ICNA Canada, and will affix it to the documents, as directed by the President (أمير).
  8. The President (أمير), in consultation with Board of Directors (مجلس الشورى) can appoint secretary/ secretaries to assist the secretary general. The assistant(s) to the secretary general shall be answerable to the secretary general of ICNA Canada.

### **Article 8: Central Departments**

1. The President (أمير) in consultation with Board of Directors (مجلس الشورى) shall determine and/or change the number of central departments as necessary.
2. The President (أمير) in consultation with Board of Directors (مجلس الشورى) shall appoint the Heads of the Central Departments such as Tarbiyah, Dawah, Treasury, etc. They shall remain in their offices subject to the satisfactory performance of their duties as assessed by the President (أمير) and Board of Directors (مجلس الشورى)
3. Departments shall operate according to the rules laid down in the Charter and By-Laws.
4. The President (أمير) shall inform, in writing, the Head of all departments of the nature of their rights and responsibilities and may increase or decrease

the scope of such rights and responsibilities from time to time.

### **Article 9: Finances and Treasury**

1. The Treasury shall be established at all organizational levels.
2. Sources of income to the Treasury shall be such as the following:
  - a) Zakat, charity and contributions from the members and MGAs
  - b) Donations from the community at large.
  - c) Contributions from the departments/institutions.
  - d) Income from investments/properties etc.
3. The President (أمير) shall bear the overall responsibility for the ICNA Canada Treasury, and shall be accountable to the Board of Directors (مجلس الشورى) and the General Assembly.
4. The presidents of regions, chapters and wings shall use their respective Treasury for the activities of ICNA Canada and be accountable for it to the next higher level President (أمير).
5. All members and MGAs shall pay monthly contribution to their chapter treasury and pay their Zakaah and other obligatory charities to the Central Treasury.
6. Chapter Treasury shall deposit 50% of the funds collected from MGAs and members to regional Treasury.
7. Regional Treasury shall deposit 50% of the funds collected from chapter Treasury to the central Treasury.
8. Centre, regions and chapters shall have approved budgets.
9. Surplus funds with regions and chapters shall be transferred to the central Treasury at the end of the year.
10. The central treasury shall be managed by the ICNA

- Canada Treasurer who shall be appointed by the President (أمير) in consultation with Board of Directors (مجلس الشورى)
11. The person appointed as Treasurer must be an MGA who has a sound knowledge of accounting, finance and the federal and provincial laws and regulations governing charitable organization.
  12. The Treasurer shall have the following responsibilities:
    - a) To keep a complete account of income and expenditure.
    - b) To prepare the annual budget and financial statements and present it to the Board of Directors (مجلس الشورى)
    - c) To keep the President (أمير) and the members of the Board of Directors (مجلس الشورى) informed of the financial situation of ICNA Canada
    - d) To release funds pre-approved by the Board of Directors (مجلس الشورى) for a project, as the need may arise.
    - e) To pay a pre-authorized amount on any unexpected expense.
    - f) To audit the accounts of regions and chapters
  13. The persons responsible for the Treasury at regional and chapter levels shall also perform similar responsibilities at their respective levels as applicable.

#### **Article 10: ICNA Canada Wings**

1. ICNA Canada shall establish wings to serve the special needs of any group of its members such as the following:
  - a. ICNA Canada Sisters, exclusively for sisters.
  - b. ICNA Canada Young Muslim Sisters, exclusively for young sisters. This wing will work in close association with ICNA Canada Sisters.
  - c. ICNA Canada Young Muslims, exclusively for young

- brothers.
2. These wings shall:
    - a. Operate under the direction of the President (أمير) and Board of Directors (مجلس الشورى)
    - b. Provide their structure, rules and regulations to the President (أمير) and Board of Directors (مجلس الشورى) for approval. The approved documents shall be published by ICNA Canada for all members and MGAs.
    - c. Have its own president, elected by the MGAs of the respective wing. The presidents of the central wings shall be members of the General Assembly.
  3. The President (أمير) shall approve the elections of presidents of the wings.
  4. The presidents of the wings shall be ex-officio members of the Board of Directors (مجلس الشورى) and attend its meeting as such.
  5. The MGAs of each wing shall elect their respective Wing's Board (الشورى).
  6. The President (أمير) with the consultation of the respective wing president may appoint one or more MGAs of that wing to be the members of the Board of Directors (مجلس الشورى)
  7. The wings may define their own structure, rules and regulations but must remain in full compliance of the Charter and By-Laws of ICNA Canada. All provisions of these By-Laws shall be fully applicable to all ICNA wings.

### **Article 11: Central Divisions**

1. The President (أمير) in consultation with Board of Directors (مجلس الشورى) shall establish central divisions to achieve the objectives of ICNA Canada.
- 2.a. The President (أمير) in consultation with Board of Directors (مجلس الشورى) shall appoint an MGA the department chair to achieve the objectives of ICNA Canada.



- 2.b. The departmental/Board (Committee) chair with the consultation of President (أمير) shall appoint board/committee members and President (أمير) will inform the Board of Directors (مجلس الشورى)
3. Management board (Committee) of each division may define their own rules and regulations without conflicting with the Charter and By-Laws of ICNA Canada.
4. The maximum consecutive period for departmental chair is four years.
5. The same MGA cannot be appointed as chair of same department (Committee) after four consecutive years but can continue as a member of the department board (Committee) for additional four years.
6. The maximum period for any member to serve in any ICNA department board/committee is eight consecutive years.
7. Employee shall have voting rights but no organisational position.

## **Article 12: Central Projects**

(ICNA Relief Canada, Al-Falah School, Centers & Mosques)

1. The President (أمير) in consultation with Board of Directors (مجلس الشورى) shall establish central projects to achieve the objectives of ICNA Canada.
2. The President (أمير) in consultation with Board of Directors (مجلس الشورى) shall appoint project management board/Committee for each central project.
3. Project management board/Committee of each project may define their own rules and regulations without conflicting with Charter and By-Laws of ICNA Canada.

## Part III Regions and Chapters

### Article 13: Regions

1. In order to expand, strengthen and better supervise the work, ICNA Canada shall be divided into various regions.
2. The President (أمير) in consultation with Board of Directors (مجلس الشورى) shall determine or change the number and boundaries of the regions.
3. The regional organization shall normally consist of the following, except in circumstances requiring any other arrangements:
  - a. Regional President
  - b. Regional Board
  - c. Regional Secretary

### Article 14: The Regional President

1. The President (أمير) shall appoint, for a term of two years, a regional president for each region, in consultation with the Board of Directors (مجلس الشورى), and after seeking written suggestions from MGAs of that region.
2. The regional president shall have the following rights and responsibilities. The regional president shall:
  - a. Implement the program and policies of ICNA Canada in the assigned region.
  - b. Maintain contact with the local organizations and the individual members and MGAs.
  - c. Receive instructions from the President (أمير) and guide and supervise chapters of ICNA Canada.
  - d. Establish new chapters in the region.
  - e. Determine and/or change the number and boundaries of chapters with consultation of regional Board (الشورى)
  - f. Summon ordinary or extraordinary regional Board (الشورى) meetings.

- g. Establish the regional Treasury
- h. Consult the regional Board (الشورى) in all important matters.

## **Article 15: The Regional Board (الشورى)**

### **A. Structure:**

- 1. The regional president shall appoint, in consultation with and with the approval of the President (أمير), a regional Board determine the number of its members as needed.
- 2. The regional president shall be the chair of the regional Board and the regional secretary shall be its secretary.

### **B. Meetings:**

- 1. Regional Board (الشورى) shall meet at least twice a year.
- 2. The President (أمير) and the regional president may call the meeting of the regional Board (الشورى) as needed.
- 3. At the written request of one half of its Board (الشورى) members, the regional president shall call the meeting of the regional Board (الشورى) as soon as possible.

### **C. Rights and Responsibilities:**

- 1. The regional Board (الشورى) shall plan and supervise ICNA Canada's activities in the region.
- 2. The regional Board (الشورى) shall adopt the regional budget.
- 3. If regional president and the Board (الشورى) differ with each other, the matter shall be referred to the President (أمير).

## **Article 16: The Regional Secretary**

- 1. The regional president shall appoint or remove the regional secretary in consultation with the regional Board (الشورى).
- 2. The regional secretary shall have the following rights

and responsibilities.

He shall:

- a. Render general assistance to the regional president.
- b. Perform duties and use rights entrusted to him by the regional president, and be answerable to the regional president.
- c. Maintain contact with chapters of the region and supervise all regional activities.
- d. Compile minutes of the regional Board (الشورى), and regional MGA meetings.

### **Article 17: The Chapters:**

1. A chapter shall be established at a place where there are three or more MGAs of ICNA Canada and at least one functional neighbour-net.
2. The Chapter President shall be answerable to the President (أمير), regional president, MGAs and members of the chapter.
3. The President (أمير) under special circumstances, in consultation with the Board of Directors (مجلس الشورى) may ask local members to hold new elections.
4. In a chapter where the number of MGAs is more than six, chapter MGA meetings shall be held at least every two months.

### **Article 18: The Chapter President:**

The Chapter President shall:

1. Disseminate the message of Islam and organize those who have joined ICNA Canada.
2. Nourish the brotherhood among all members and MGAs of ICNA Canada and take personal interest in their Islamic development.
3. Implement Central Tarbiyah and Dawah plan of ICNA Canada at chapter level.
4. Implement policies and decisions of ICNA Canada at the chapter level.
5. Keep the regional president and the President (أمير)

- informed of his chapter's progress.
6. Guide, supervise and undertake accountability of chapter level activities.
  7. Take prompt notice of the issues affecting the attainment of ICNA Canada's goal and objectives and undertake all necessary safeguards in this respect.
  8. Establish and maintain the chapter Treasury, in consultation with MGAs and members, according to the guidance provided by the President (أمير).
  9. Appoint secretary and treasurer of the chapter.

### **Article 19: Neighbour-nets**

1. Neighbour-net shall be the basic unit of the organization.
2. The Chapter President in consultation with MGAs of the Chapter shall determine or change the number and boundaries of neighbour-nets.
3. The chapter president shall appoint Coordinator(s) for each neighbour-net.
4. The Coordinator shall organize neighbour-net programs on a regular basis.
5. Neighbour-net program shall be:
  - a. To invite people to ICNA Canada and organize/train them to work for the betterment of the society.
  - b. To develop personality through dissemination of Islamic knowledge.
  - c. To provide positive reinforcement and encourage self-purification.
  - d. To invite the neighbours towards Islam.
  - e. To improve the moral and social welfare of Muslims.
  - f. To motivate Muslims to perform their duties towards fellow human beings proactively and enthusiastically.

## Part IV

### Principles and Procedures of Elections

#### Article 20: Elections

##### A. Principles of Elections:

1. All elections shall be held by secret ballot.
2. A simple majority shall be decisive in the central elections. In all other elections approval of the President (أمير) shall be required.
3. All members eligible to vote in an election shall be advised of the MGAs eligible to be elected for the respective office for which elections are being conducted. MGAs will vote for the MGA who, in their opinion is the most eligible for that office.
4. If Board of Directors (مجلس الشورى) proposes three names for the election of the President (أمير), these names shall be circulated. However, the MGAs will be free to vote for any MGA that is qualified to be elected as the President (أمير).
5. MGAs/members shall not have the right to do canvassing for themselves or for someone else. However, one shall be entitled to consult and seek opinion from another MGA or member individually.
6. It shall be necessary that the new election be held before the expiration of the term of the existing office bearers. If that is not possible for any reason, the existing President (أمير) and other office bearers shall continue in their responsibilities. However, this period shall not exceed more than three months.
7. Every elected office bearer must take the pertinent oath of office before assuming their responsibilities. This oath shall be taken in person or by phone in the presence of the chairman of the election committee, the President (أمير), or in General Assembly as the situation may warrant.
8. The person in-charge of the election shall be

responsible to inform all the members and/or MGAs of the principles and procedures of the elections and qualifications of the office bearers. The person in-charge shall also make sure that the principles mentioned in this article are observed and shall report to the President (أمير) if any violation takes place.

9. Upon receiving a written complaint from an MGA or from the in-charge of the election about any electoral irregularity, the President (أمير) shall take appropriate action, in consultation with the Board of Directors (مجلس الشورى)
10. A person shall not be elected for the same office for more than two consecutive terms. However, he or she may be elected for another office

## **B. Procedure of Elections:**

### **Central Elections:**

1. Central elections shall be conducted every two years to elect the President (أمير), members of the Board of Directors (مجلس الشورى) and presidents of the wings.
2. Central elections shall be conducted by an election committee of MGAs consisting of a chairman and two members, appointed by the President (أمير) in consultation with the Board of Directors (مجلس الشورى). The committee shall be named at least three months before the election date.
3. Only MGAs are eligible to vote in the central elections. MGAs made after the formation of election committee shall not be eligible to vote in elections.
4. Appropriate and reliable electronic-voting methods or mail-in ballots shall be used to conduct the elections. The chairman shall open and count the ballots in presence of other members of the election committee.

## **Chapter Elections:**

1. Chapter elections shall be conducted every year.
2. The President (أمير) shall appoint one or more representative(s) to conduct chapter elections.
3. ICNA members and MGAs are both entitled to vote in chapter elections.
4. The representative(s) shall inform MGAs/members of the respective chapters about the election date and place, at least two weeks prior to election.
5. The representative(s) shall collect the ballots directly from members and MGAs and count them during the meeting.
6. The representative(s) shall obtain approval of the results of election from the President (أمير) prior to their announcement.



## Part V

### Modes of expressing difference of opinion, removal of Board (الشورى) members and expulsion of members and MGAs

#### Article 21: Etiquettes of expressing differences of opinion

Any MGA who disagrees with the strategies, policies and decisions of ICNA Canada may express his/her opinion in the following manner:

1. He/she shall bring up his/her differences in the chapter MGA meeting, regional Board (الشورى) or regional MGA meeting, or Board of Directors (مجلس الشورى) or the General Assembly meeting. He/she shall have the right to convey his/her opinion to other MGAs through Secretary General. But he/she shall have no right to use any public forum for this purpose and shall have no right to do any canvassing among individual members or MGAs directly or indirectly.
2. He/she shall accept the decisions arrived at through a majority opinion and will abide by them. However, he/she shall have the right within the above-established limits to get those decisions modified or rescinded.
3. If an MGA, who holds an official position, expresses his/her differences about the established policy of ICNA Canada outside the forums provided by this Charter and By-Laws, then he/she shall be relieved of his/her official responsibility that obliges him/her to enforce or interpret that policy.

#### Article 22: Removal of President (أمير)

The President (أمير) can be removed from his office if:

- a. Board of Directors (مجلس الشورى) requests the General Assembly to do so (Article 5 C.11) in a duly held General Assembly meeting; and,
- b. Two thirds or more MGAs vote in favour of his removal.

**Article 23: Removal of member of the Board of Directors (مجلس الشورى)**

Any member of the regional or central Board of Directors (مجلس الشورى) shall lose his/her Board (الشورى) membership if:

1. He/she ceases to be a member of the General Assembly.
2. He/she remains absent from two consecutive meetings of the Board of Directors (مجلس الشورى) with out a valid reason.
3. He/she resigns from the membership of the Board of Directors (مجلس الشورى) and the President (أمير) or Regional President, as the case may be, accepts his resignation.
4. A written motion of no confidence is presented against him/her by ten percent of the members of the General Assembly and is approved by a simple majority.

**Article 24: Filling a vacant seat of Board (الشورى)**

If an elected seat in the Board of Directors (مجلس الشورى) or regional Board (الشورى) becomes vacant for any reason during the two-year term, the President (أمير) or the respective president may appoint a Board (الشورى) member for maximum period of ninety days. However The President (أمير) or respective president shall hold an election with in ninety days to fill the vacancy

**Article 25: Suspension of a member of the General Assembly**

1. If recommended by Chapter president or the President (أمير) deems it necessary, due to special circumstances, he may suspend an MGA in consultation of Board of Directors (مجلس الشورى), for a maximum period of three months.
2. Before the decision of suspension, the member of the General Assembly involved shall be given the opportunity to present his/her case to the Board of Directors (مجلس الشورى)
3. a. Any MGA failed to attend two consecutive scheduled General assembly meetings without prior

consent of President (أمير), his/her membership of general assembly will be suspended for a period of three months from the date of the 2nd General assembly meeting.

3. b. Presidents of wings shall get permission from the President (أمير) for any MGA who cannot attend the scheduled General Assembly Meeting.
4. If an MGA does not fulfill any condition of the articles 3.7.1 / 3.7.2 of the General Assembly; The Chapter president will adopt the following procedure:
  - a. Chapter President will contact the concerned MGA for explanation to resolve the issue.
  - b. If the matter is not resolved in the individual meeting, call the meeting of MGAs of the respective chapter and present the case.
  - c. If the majority of the MGAs agree the suspension/expulsion then chapter president will forward the case to the regional president and the regional president will forward it to the President (أمير) to start the suspension/expulsion process as per Article 25.1,27,28

## **Article 26: Cancellation of membership of the General Assembly**

1. If a member of General Assembly leaves Canada for employment, business or personal reasons for the period of more than one year then the President (أمير) shall bring the matter to Board of Directors (مجلس الشورى) for the cancellation of membership of General Assembly.
2. If a member of General Assembly inform the central organisation (نظم) that he/she will be leaving Canada permanently, his/her membership will be cancelled immediately.
3. When the ex-member of General Assembly whose membership was cancelled due to long term

absence from Canada (article 26) returns back, his/her membership of general assembly shall be reinstated after the approval of application.

### **Article 27: Expulsion of a member of the General Assembly**

The President (أمير) in consultation with Board of Directors (مجلس الشورى) and respective regional and chapter president shall have the authority to expel an MGA if:

1. He/she violates, despite a reminder, the conditions of membership of the General Assembly repeatedly and deliberately. (Article 25.3)
2. He/she acts repeatedly against the interests, goals and methodology of ICNA Canada
3. If he/she conveys, verbally or by continuous action, the impression that he/she no longer has an interest in the activities of ICNA Canada.

### **Article 28: Method of Expulsion**

1. To expel a member of general assembly, the President (أمير) shall consult the pertinent regional and chapter president and then present his reasons and the evidence for the expulsion to a duly called meeting of the Board of Directors (مجلس الشورى) for their approval. (Article 25.3)
2. Before the decision of expulsion is approved, the member of the General Assembly involved shall be given the opportunity to present his/her case to the Board of Directors (مجلس الشورى)

## **Part VI**

### **Miscellaneous**

#### **Article 29: Amendment and Addition to the Charter and By-Laws**

1. Any MGA shall have the right to present an amendment to the Charter and By-Laws through the President (أمير) and the President (أمير) shall present it to Board of Directors (مجلس الشورى)
2. Such amendment shall be deliberated upon by the Board of Directors (مجلس الشورى), and after securing approval of a simple majority shall be submitted to the General Assembly meeting or mailed to the members of the General Assembly for final approval. A two-third majority of the General Assembly in session or, in case of mailing, a simple majority of the MGAs shall be required to approve an amendment.

## Appendix 1 (Summary of Amendments 2014)

By-Law Article 3.2a	Modification
By-Law Article 3.2e to 3.2h	Additions
By-Law Article 3.3	Modification
By-Law Article 3.4	Modification
By-Law Article 3.5	Modification
By-Law Article 3.7.1.j to 3.7.1, L	Additions
By-Law Article 3.7.2.a to 3.7.2.i	Additions
By-Law Article 5.4b	Addition
By-Law Article 11.2.a, 11.2.b	Modification
By-Law Article 11.4, 11.5, 11.6, 11.7	Additions
By-Law Article 20.B.3	Modification
By-Law Article 20.B.4	Modification
By-Law Article 25.1	Modification
By-Law Article 25.3.a, 25.3.b, 25.4.a, 25.4.b, 25.4.c	Addition
By-Law Article 26.1, 26.2, 26.3	Addition/Modification
Correction of References	