

Constitution

MCB

THE MUSLIM COUNCIL OF BRITAIN

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

IN THE NAME OF ALLAH, MOST GRACIOUS, MOST MERCIFUL

مُتَنَتِرٌ خَيْرُ أُمَّةٍ أُفْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ
وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ

سورة آل عمران آية رقم ١١٠

“You are the best community raised up for mankind – you enjoin what is right, forbid what is wrong, and believe in Allah.”

The Qur'an, 3: 110

وَاعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا

سورة آل عمران آية رقم ١٠٣

“Hold fast, all together, to the bond with Allah and be not divided.”

The Qur'an, 3: 103

وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى
الْإِثْمِ وَالْعُدْوَانِ

سورة المائدة آية رقم ٢

“Help one another to virtue and God-consciousness and do not help one other to sin and transgression.”

The Qur'an, 5: 2

C O N T E N T S

The Constitution of the Muslim Council of Britain

Preamble and Declaration of Intent

1. Name

2. Aims and Objectives

3. Principles of Association

4. Structure

4.1 The General Assembly

4.1.1 Composition

4.1.2 Functions

4.1.3 Meetings

4.2 The Central Working Committee

4.2.1 Composition

4.2.2 Functions

4.2.3 Meetings

4.2.4 Office-bearers

4.2.5 Functions of office-bearers

4.2.6 Suspension and Removal

4.3 Specialist Committees

4.3.1 Appointment of Chairpersons

4.3.2 Membership

4.3.3 Functions

4.3.4 Minutes Book

4.4 Board of Counsellors

4.4.1 Role

4.4.2 Composition

4.4.3 Meetings

5. Finance

5.1 General

5.2 Fees from Member Bodies

5.3 Donations and gifts

6. Relationship with other Organisations

7. Legal Status

7.1 Basis of association

7.2 Title to Property

8. Amendments to the Constitution and Standing Orders

9. Dissolution

10. Interpretation

In the name of Allah, most Gracious, most Merciful

The Constitution of The Muslim Council of Britain

Preamble We, as members of the Muslim Council of Britain,

aspiring to be a community *“enjoining what is right, forbidding what is wrong, and believing in Allah”* (The Qur’an, 3: 110);

conscious of the injunctions to *“Hold fast, all together, to the bond with Allah and be not divided”* (The Qur’an, 3: 103) and *“Help one another to virtue and God-consciousness and do not help one another to sin and transgression”* (The Qur’an, 5: 2);

hereby adopt this Constitution of The Muslim Council of Britain and pledge to abide by its provisions, and in doing so make the following

Declaration of Intent

- (a) The Muslim Council of Britain is an accord of mosques, Muslim associations and institutions in the UK. It shall be informed and guided by the Qur’an and the Sunnah in all its aims, policies and procedures.
- (b) It is an independent body working for the pleasure of Allah to promote consultation, cooperation and coordination on Muslim affairs in the UK.
- (c) It is a non-sectarian body working for the common good without interfering in, displacing or isolating any existing Muslim work in the community.
- (d) It is a broad-based, representative organisation of Muslims in Britain, accommodating and reflecting the variety of social and cultural backgrounds and outlook of the community.
- (e) It is a body that will base its policies and decisions on consensus and the largest practicable measure of common agreement.
- (f) It is a formally constituted body with a system of representation and accountability.
- (g) It is a body that will seek to draw on the talents and specialist skills of individuals and the strengths of organised bodies to meet the great challenges ahead in preparing the case for, and advocating, the responsibilities and rights of Muslims living in Britain.

I

Name

The name of the organisation shall be “The Muslim Council of Britain” hereinafter called the MCB.

2

Aims and Objectives

- I to promote cooperation, consensus and unity on Muslim affairs in the UK.
- II to encourage and strengthen all existing efforts being made for the benefit of the Muslim community.
- III to work for a more enlightened appreciation of Islam and Muslims in the wider society.
- IV to establish a position for the Muslim community within British society that is fair and based on due rights.
- V to work for the eradication of disadvantages and forms of discrimination faced by Muslims.
- VI to foster better community relations and work for the good of society as a whole.

3

Principles of Association

Any organisation that is based in Britain and whose activities are primarily for the benefit of Muslims in Britain, or which operates from Britain with staff drawn from Britain for the benefit of the Muslim ummah, will be eligible for membership into the MCB if it subscribes to the Preamble and Aims & Objectives and conforms to the Principles below.

3.1: Basis of affiliation

No organisation shall be eligible for membership of the MCB unless its own membership is restricted only to those who profess the Muslim faith, who declare knowingly and voluntarily: “*La ilaha illa Allah Muhammad Rasul Allah*” and believe in the Qur’an as the true Word of God revealed to the Prophet Muhammad (peace be on him) and that there is no prophet after him.

3.2: Basis of incorporation

The organisation should either:
have a Constitution or Standing Orders or Bye-laws (to be provided to the MCB) and have been operating for at least one year

or

be a bona-fide affiliate of a regional or national body that is a member of the MCB and have been operating for at least one year.

Note: See Standing Orders SO1A. for the basis of confirming the stipulated period.

3.3: Commitment to service

All delegates to the MCB shall be motivated by the desire to serve the community.

3.4: Conduct

Its delegates to the MCB will abide by the procedures and standing orders that govern the conduct of meetings and the affairs of the MCB.

3.5: Collective responsibility

It accepts the Constitution of the MCB and is able and willing to abide by its provisions; it will do its best to uphold and implement agreed policies.

3.6: Pledge of mutual respect and cooperation

It shall do its best to promote mutual respect and co-operation with other member organisations and use the framework of the MCB to resolve difficult issues with other member organisations.

4

Structure

The structure of the MCB shall comprise:

- I. A General Assembly
- II. A Central Working Committee
- III. Specialist Committees
- IV. A Board of Counsellors

4.1: The General Assembly

4.1.1: Composition

- (a) The General Assembly shall be made up of delegates of Muslim bodies that subscribe to the Principles of Association and have paid their annual affiliation fees.
- (b) National bodies shall be represented by a maximum of 3 delegates; regional bodies shall be represented by a maximum of 2 delegates; all other bodies shall be represented by one delegate.
- (c) In the event of any such delegate resigning from or otherwise leaving a member body, he or she shall cease to be its delegate.
- (d) If a person is selected as a delegate of more than one member body, he or she can only vote for one body of his/her choice.
- (e) The basis of representation defined in 4.1.1 (b) shall be reviewed from time to time to ensure the number of delegates at the General Assembly remains appropriate for achieving its functions and responsibilities.

Note: See Standing Order SO2.3.3 for criteria for determining the 'appropriate' size of the General Assembly.

4.1.2: Functions

- (a) The General Assembly shall be the supreme policy-making and ruling body of the MCB.
- (b) The General Assembly may adopt resolutions, amend the Constitution and, in general, exercise all powers necessary to promote the aims and purposes of the MCB.
- (c) The General Assembly shall elect every two years 25 individuals as national representatives and upto 12 individuals as zonal representatives to the Central Working Committee who shall be known as "the elected

members' of the Central Working Committee, provided that no member body and/or its branch/branches can have more than 5 of its members elected to the Central Working Committee.

- (d) The number of zones in Scotland, Northern Ireland, Wales and England shall be reviewed from time to time by the General Assembly.

Note: See Standing Order SO4.3 for zones established at the outset of the MCB.

4.1.3: Meetings

- (a) The General Assembly shall be called into session at least annually by the Secretary General .
- (b) An extraordinary meeting of the General Assembly shall be convened by the Secretary General at the request of at least one quarter of the member bodies or at least half of the elected members of the Central Working Committee.
- (c) The Secretary General shall provide all member bodies at least an eight week notification of a General Assembly meeting.
- (d) Member bodies shall notify the Secretary General of the name of their appointed delegate and of the name of his or her alternative at least six weeks prior to a General Assembly meeting.
- (e) The Central Working Committee shall appoint a chairperson (or chairpersons) to officiate and conduct the sessions of the General Assembly.
- (f) The quorum for General Assembly meetings shall be one-third of the appointed delegates.
- (g) All ordinary resolutions shall be adopted by a simple majority of the delegates present and voting.
- (h) Special resolutions - those relating to constitutional amendments or the dissolution of the MCB or matters "of special importance" (decided as such by a simple majority of the General Assembly) - shall be adopted by two-thirds of the appointed delegates present and voting. Notice of any proposed constitutional amendment must be submitted to the Secretary General of the Central Working Committee at least six weeks in advance of the General Assembly meeting. The Secretary General will circulate the proposed amendment to all appointed delegates at least fourteen days before the General Assembly meeting.

4.2: The Central Working Committee

4.2.1: Composition

- (a) The Central Working Committee shall comprise (i) *elected* (ii) *nominated* and (iii) *co-opted* members.
- (b) *Elected Members:* As per 4.1.2 (c) above. The number of elected members shall be at least one half of the total membership of the Central Working Committee.

- (c) *Nominated Members:* Each approved national or regional body shall nominate one representative to the Central Working Committee. The total number of nominated members may not be greater than the number of elected members.

The Central Working Committee shall decide on the national and regional organisations that will have the right to make nominations to the Central Working Committee.

If the number of 'national' and 'regional' bodies satisfying the required criteria results in the number of nominated positions on the Central Working Committee exceeding the number of elected members, preference will be given on the basis of membership numbers.

In the event of a nominated member resigning from or otherwise leaving a member body, he or she shall cease to be in the Central Working Committee and a fresh nomination may be made (for the remaining period of the two year term). In the event of the member body not paying its annual affiliation fee, the nominee shall be required to resign.

- (d) *Co-opted Members:* The Central Working Committee shall have the power to co-opt persons, whether or not they are delegates of member bodies at the General Assembly, to serve on the Committee. The power to co-opt persons shall be used to enhance the work of the MCB and to reflect the diversity of thought, background and gender in the endeavour of the MCB to be a broad based, representative organisation of Muslims in Britain, accommodating and reflecting the variety of social and cultural backgrounds and outlooks of the community.
- (e) The term of the Central Working Committee shall be two years.
- (f) If a duly elected member ceases to be a member of the Central Working Committee for any reason including death, resignation or expulsion, it will be the duty of the Secretary General to recommend to the Committee how the vacancy should be filled. In considering the recommendation the Committee shall be guided by paragraph (d) of the Declaration of Intent. It may but will not be bound to give weight to the results of the last election with a view to decide whether the person who had received maximum votes but did not get elected should be asked to fill the vacancy. Decision to fill a vacancy shall require a simple majority vote of those present at a duly convened meeting of the Central Working Committee. A person appointed to fill the vacancy shall remain on the Committee until the next elections to the central Working Committee and he/she shall have the same rights and privileges as those of other elected members.

4.2.2: Functions

- (a) The Central Working Committee shall be responsible to the General Assembly for the efficient and proper functioning of the MCB, for carrying out the policies laid down by the General Assembly and for taking initiatives only inasmuch as they are consistent with the General Assembly's policy guidelines in the best interests of the Muslim community of Britain.
- (b) The Central Working Committee shall have the right to appoint such specialist committees as it may consider necessary, to determine the terms of reference and composition of such specialist committees, and to appoint the chairpersons of such committees.
- (c) The Central Working Committee shall as a minimum appoint the following specialist committees: Finance & General Purpose; Research & Documentation; Media, Legal Affairs; Membership.

4.2.3: Meetings

- (a) The Central Working Committee shall meet at least once every three months.
- (b) Any member of the Central Working Committee who misses two consecutive meetings of the Committee without reasonable cause may be disqualified from attending further meetings if the Committee passes a motion supported by at least two thirds of those present and voting declaring the member as disqualified. In the event of a member being disqualified, the member affected will have the right of appeal in accordance with the appeals procedure set out in 4.2.6 (b) below.
- (c) The quorum at meetings of the Central Working Committee shall be one third of its membership at the relevant time.
- (d) Wherever possible decisions of the Central Working Committee shall be taken by consensus but where a resolution is put to the vote, the Secretary General shall be entitled to a casting vote.
- (e) Matters defined by the Central Working Committee as "of special importance" and those relating to extra-ordinary items of expenditure beyond a limit agreed by the Central Working Committee shall require the approval of two-thirds of the Central Working Committee members (elected, nominated and co-opted). All other matters are to be decided by a simple majority.

4.2.4: Office-bearers

- (a) (a) The Central Working Committee shall elect, from among its elected members, the following office bearers:
 - (I) the Secretary General
 - (II) the Deputy Secretary General
 - (III) the Treasurer
- (b) The Central Working Committee shall also elect from its members the following office-bearers:
 - (1) three Assistant Secretary Generals
 - (2) one Assistant Treasurer.

- (c) The Secretary General, the Deputy Secretary General and the Treasurer shall not serve the same office for more than two terms (i.e. four years) consecutively.
- (d) If the Secretary General resigns or is impaired or otherwise fails to fulfill the assigned responsibilities, the Deputy Secretary General shall act as Secretary General or failing him, the Treasurer.
- (e) the Secretary General shall convene regular meetings of Office Bearers for the efficient and proper functioning of the MCB and carrying out decisions of the Central Working Committee.
- (f) the retiring Secretary General shall be invited by the incoming Secretary General to attend Office-Bearers' meetings in an ex-officio capacity for one term.

4.2.5: Functions of office-bearers

- (a) The Secretary General shall
 - (i) be responsible for convening the General Assembly, preparation of the necessary working papers and agenda and maintaining a record of proceedings and resolutions in a Minutes Book.
 - (ii) direct the work of the Central Working Committee in implementing the policies set by the General Assembly.
 - (iii) present a report of activities to the annual meeting of the General Assembly.
 - (iv) be the official spokesperson of the MCB.
 - (v) The Secretary General shall be responsible for maintaining a record of proceedings and resolutions of the Central Working Committee in a Minutes Book
- (b) The Deputy Secretary General shall deputise for the Secretary General in his or her absence. He will assist the Secretary General in the performance of his duties.
- (c) The three Assistant Secretary Generals shall assist the Secretary General in the performance of his duties. Their specific and individual roles and responsibilities shall be determined by the Secretary General and in so doing, the Secretary General shall keep the Central Working Committee informed.
- (d) The Treasurer shall
 - (i) keep proper accounts of the finances of the MCB and be responsible for the management of the financial affairs of the MCB.
 - (ii) provide accounts for audit at least once a year by the auditors appointed by the annual meeting of the General Assembly.
 - (iii) be chairman of the Finance & General Purpose committee.
 - (IV) determine the specific role and responsibility of the Assistant Treasurer in consultation with the Secretary General and shall keep the Central Working Committee informed.

4.2.6: Suspension and removal

- (a) Any member of the Central Working Committee engaged in acts contrary to the Shari 'ah shall be liable to removal from the Committee.

- (b) A member of the Central Working Committee may be suspended from membership on any ground provided that the member has been given two weeks' in advance written notice of charges against him and he is given the opportunity to make written or oral representations to the Committee before the decision to suspend is made. The decision to suspend will require a two-third majority vote of the total membership of the Committee. The member against whom a decision to suspend has been made shall have the right to appeal against the decision. The member will inform the Convenor of the Board of Counsellors within seven days of the receipt of notice of intention to appeal and the Board shall within five working days appoint a panel to consider the appeal. The panel shall within two months of the appeal give its decision, confirming, revoking or reducing the suspension. The decision of the Board of Counsellors shall be final.

4.3: Specialist Committees

4.3.1: Appointment of Chairpersons

- (a) Pursuant to 4.2.2 (b) above, each specialist committee will have a chairperson who will be appointed by and be responsible to the Central Working Committee. The chairpersons of the five main specialist committees shall be members of the Central Working Committee in order to facilitate efficiency and accountability.
- (b) The chairpersons of other specialist committees need not be members of the Central Working Committee.

4.3.2: Membership

- (a) Subject to the approval of the Central Working Committee, specialist committees may themselves co-opt additional persons whether or not they are appointed delegates of member bodies at the General Assembly.
- (b) Subject to approval from the Central Working Committee, specialist committees may invite non-Muslims to attend and contribute where their expertise adds value to the work of the MCB.

4.3.3: Functions

- (a) The functions of the Finance & General Purpose Committee shall be:
 - (i) to supervise the raising of funds, the management of any assets and the disbursement of funds for the MCB's work; to be responsible for keeping proper accounts of all the MCB's finances and for presenting annual audited accounts to the General Assembly.
 - (ii) to set up a Secretariat with paid staff where necessary to carry out the day to day functions of the MCB and ensure its efficient functioning.
- (b) The functions of the Research & Documentation Committee shall be:
 - (i) to keep an accurate database on Muslim institutions and community activity for the purpose of effectively serving the community.
 - (ii) to monitor demographic, social and economic trends in the community in order to inform policy making and encourage good practice in community development.
- (c) The functions of the Media Committee shall be:
 - (i) to develop and implement a communications strategy reflecting the

- policies of the MCB.
 - (ii) to monitor and interact with the media and inform the MCB on issues of interest
 - (iii) to provide the necessary services to the Central Working Committee in public relations.
- (d) The Functions of the Legal Affairs Committee shall be:
 - (i) to provide legal advice and support to other Committees and Task Groups.
 - (ii) to receive documents that need response from the MCB and seek comment from appropriate Committee/Task Group before drafting final response for approval by the Secretary General.
 - (iii) to initiate and co-ordinate, where appropriate, action on matters that require legal experience or knowledge.
 - (iv) to receive and debate any proposals from the Constitutional Review Sub-Committee before forwarding the same to the CWC.
- (e) The Functions of the Membership Committee shall be:
 - (i) to consider and make recommendations to the CWC on applications received for membership.
 - (ii) to keep categories of membership under review and make recommendations to the CWC, when appropriate.
 - (iii) to prepare data and advise on the representation of bodies to the General assembly and collect affiliation fees.

4.3.4: Minutes Book

Each Specialist Committee shall maintain a record of its proceedings and resolutions in a Minutes Book.

4.4: Board of Counsellors

4.4.1: Role

- (a) The Board of Counsellors will serve as an advisory body for proposals and suggestions from and to the General Assembly, the Central Working Committee and its Specialist Committees. To facilitate the smooth running of the MCB, the Board shall also act as the body for grievance and dispute resolution.
- (b) The Board of Counsellors will be notified of meetings of the Central Working Committee which they may attend as observers without voting rights.
- (c) The Board of Counsellors shall elect one of its members as its Convenor and one as its Secretary. The term for each office shall be two years with eligibility for further re-election for one more term.
- (d) The Board shall have the power to set up Committees to carry out its functions and responsibilities.

4.4.2: Composition

- (a) It will comprise of experts in Shariah and Muslims of who have achieved distinction in other fields.
- (b) Immediate past Secretary General, Deputy Secretary General and Treasurer shall become members of the Board of Counsellors for a term not exceeding four years.

4.4.32: Meetings

- (a) The Board shall meet at least twice a year and it shall be the duty of the Secretary General to organise the first of such meetings at which the Board shall elect its Convenor and Secretary.
- (b) The Board shall keep a record of its meetings in a minute book maintained by its Secretary.

5

Finance

5.1: General

The MCB shall be financed by affiliation fees, contributions, donations and funds from other legitimate sources. All monies raised by or on behalf of the MCB must be applied to further the aims and objectives of the MCB and for no other purpose.

5.2: Fees from Member Bodies

Every member body shall pay such annual affiliation fee as the General Assembly may determine, on recommendation of the Finance & General Purpose committee.

5.3: Donations and gifts

The MCB shall be competent to receive legacies or other gifts, to form or take over trust funds which in the opinion of the Central Working Committee at the time may conveniently be administered by it, and to hold property. Such legacies, gifts and funds (subject to any conditions imposed by the Donor or Testator or the Trusts affecting the same) shall be vested in Trustees.

6

Relationship with other Organisations

6.1: Relationship with non-participating Muslim bodies

The MCB shall seek a relationship of goodwill and mutual respect with all organisations not participating in the work of the MCB as members.

6.2: Relationship with international Muslim bodies

The MCB shall establish connections with other organisations in the rest of Europe and abroad to further the aims of the MCB.

7

Legal Status

7.1: Basis of association

The MCB shall be an unincorporated association.

7.2: Title to property

- (a) The MCB shall cause title to all property, land and investments held by or on behalf of the MCB, to be vested in not less than five individuals appointed by the MCB as Holding Trustees.
- (b) The Holding Trustees shall be entitled to an indemnity out of the property of the MCB for all expenses and other liabilities properly incurred by them in the discharge of their duties.
- (c) The Holding Trustees shall be appointed or reappointed by a special resolution of the General Assembly. A holding trustee shall serve for a fixed term of appointment. A holding trustee can be removed where necessary by special resolution of the General Assembly.

Note: In the first instance the Preparatory Committee shall appoint the Holding Trustees.

Amendments to the Constitution and Standing Orders

- (a) The Preamble and Article 3.1 of the Principles of Association (Section 3) of this Constitution are not subject to amendment.
- (b) The Constitution may only be amended by special resolution of the General Assembly in accordance with 4.1.3(h) above.
- (c) Provided the Constitution of the MCB is not affected, the Central Working Committee may amend the Standing Orders for the sole purpose of ensuring the smooth functioning of the MCB in the attainment of its objectives. The Central Working Committee must inform all MCB member bodies of any proposed and agreed amendment.

Dissolution

The MCB may be dissolved by special resolution of the General Assembly in accordance with 4.1.3(h) above and a resolution that shall oblige the office-bearers expeditiously to realise all the assets of the MCB, to pay all debts and liabilities of the MCB, and to donate any surplus funds to a registered charity which supports Islamic causes.

Interpretation of the Constitution

The decision of the Central Working Committee on the interpretation of any clause contained in this Constitution shall be final when the General Assembly is not in session.

AMENDMENTS TO THE CONSTITUTION

The Constitution of the MCB was amended at the Annual General Meeting held on 15th May 1999.
These amendments (and insertions) have been incorporated in this document:

- 4.1.1 (d) amended clause
- 4.1.2 (c) amended clause
- 4.2.1 (d) amended clause
- 4.2.1 (f) insertion of new clause
- 4.2.2 (c) amended clause
- 4.2.3 (c) amended clause
- 4.2.4 (d) & (e) insertion of new clauses
- 4.3.1 (a) amended clause
- 4.3.3 (III) & (IV) deleted clauses
- 4.3.3 (d) & (e) insertion of new clauses

Numbering errors relating to Clauses 8 & 9 have also been rectified.

NOTES

A series of horizontal dotted lines for taking notes.

NOTES

A series of horizontal dotted lines for taking notes.

FOR FURTHER INFORMATION, PLEASE CONTACT:

MCB

P O Box 52, Wembley

Middlesex HA9 0XW

Tel (o) 208 903 9024

Fax (o) 208 903 9026

Email admin@mcb.org.uk

Website <http://www.mcb.org.uk>

Documents available:

The Constitution of the MCB

Standing Orders of the MCB

Affiliation Form

MCB

THE MUSLIM COUNCIL OF BRITAIN

*A step towards greater consultation, cooperation
and coordination on Muslim affairs in the UK*