

Constitution



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

IN THE NAME OF ALLAH, MOST GRACIOUS, MOST MERCIFUL

مَجْتَمِعٌ 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

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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 “*enjoying 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.

1. 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 Muslim in the wider society.
- IV. To establish a position for the Muslim community within British society that is fair and based
- 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 SO1

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 co operation

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 of:

- I. A General Assembly
- II. A National Council
- III. An Executive Committee
- IV. Specialist committees
- V. 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.

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 the Secretary General and the Deputy Secretary General, each for a term of two years but no person shall be elected to the same office for more than two consecutive terms.
- d. The Secretary General and the Deputy Secretary General shall remain responsible to the National Council for implementation of policy and for delivery of any work plans approved by the National Council or the Executive Committee.
- e. If the Secretary General resigns or is impaired or otherwise fails to fulfil the assigned responsibilities, the Deputy Secretary General shall act as Secretary General upon a resolution to that effect passed by the National Council and notified to the next meeting of the General Assembly.
- f. The General Assembly shall elect to the National Council every two years 30 individuals as national representatives of whom at least 20 per cent shall be female.
- g. The General Assembly shall elect every two years 12 individuals as zonal representatives to the National Council. The 30 national representatives and 12 zonal representatives shall be known as 'the elected Members' of the National Council
- h. No member body and/or its branch/branches can have more than 5 of its members elected as nationally or zonally elected members to the National Council
- i. The number of zones in Scotland, Northern Ireland, Wales and England shall be reviewed from time to time by the General Assembly

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 National Council.
- c. The Secretary General shall himself/ herself or through a duly appointed Election Commissioner give all member bodies at least a twelve week notification of a General Assembly meeting at which elections are held and six week notice for non election General Assembly meeting.
- d. Member bodies shall notify the Election Commissioner of the name/s of their appointed delegate/s and of the name of his or her alternative at least eight weeks prior to an election General Assembly meeting.
- e. The National Council 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 National Council 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 National Council

4.2.1 Composition

- a. The National Council shall comprise (i) elected (ii) nominated and (iii) co-opted members.
- b. *Elected Members:* As per 4.1.2 (f) and (g) above. The number of elected members shall be at least one half of the total membership of the National Council.
- c. *Nominated Members:* Each approved national or regional body shall nominate one representative to the National Council. The total number of

nominated members may not be greater than the number of elected members. National Council shall decide on the national and regional organisations that will have the right to make nominations to the National Council. If the number of 'national' and 'regional' bodies satisfying the required criteria results in the number of nominated positions on the National Council exceeding the number of elected members, preference will be given on the basis of membership numbers of the body/bodies. In the event of a nominated member resigning from or otherwise leaving a member body, he or she shall cease to be in the National Council 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*: National Council 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 National Council shall be two years.
- f. If a duly elected member ceases to be a member of the National Council 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 National Council. A person appointed to fill the vacancy shall remain on the Committee until the next elections to the National Council and he/she shall have the same rights and privileges as those of other elected members.

4.2.2 Functions

- a. The National Council 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 National Council shall appoint such specialist committees as it may consider necessary; determine the terms of reference and composition of such specialist committees, and appoint the chairpersons of such committees.

- c. The National Council shall as a minimum appoint the following specialist committees: Finance & General Purpose; Research & Documentation; Media, Legal Affairs; Membership.

4.2.3 Meetings

- a. The National Council shall meet at least once every three months.
- b. The quorum at meetings of the National Council shall be one third of its membership at the relevant time.
- c. Wherever possible decisions of the National Council shall be taken by consensus but where a resolution is put to the vote, the Secretary General shall be entitled to a casting vote.
- d. Matters defined by the National Council as “of special importance” and those relating to extra-ordinary items of expenditure beyond a limit agreed by National Council shall require the approval of two-thirds of the National Council members (elected, nominated and co-opted). All other matters are to be decided by a simple majority.

4.3 The Executive Committee

4.3.1 Composition

- a. There shall be an Executive Committee consisting of the Secretary General, Deputy Secretary General, Treasurer, three Assistant Secretary Generals and duly appointed Advisors.
- b. The Secretary General shall chair the Executive Committee and in his absence the Deputy Secretary General shall chair a meeting of the Committee.

4.3.2 Functions

- a. The main function of the Executive Committee shall be to oversee that the MCB is functioning properly and that the decisions made by the National Council are properly implemented.
- b. Further to 4.2.2 (b) above, the Executive Committee may set up such other Committees/Task Groups/Projects as may be necessary to deliver any task or programme of action.
- c. The Executive Committee may supervise and give guidance to Specialist and other Committees as appropriate. The Executive Committee shall call for and consider reports from chairpersons of all Specialist Committees.

4.3.3 Meetings

- a. The Executive Committee shall meet at least once every calendar month.
- b. The immediate past Secretary General shall be invited by the Secretary General to attend meetings of the Executive Committee in an ex-officio capacity for one year following his/her completion of term.
- c. Decisions shall be made by consensus but only if deemed necessary by the Secretary General by majority vote taken by use of secret ballot.

4.4 Office-bearers

4.4.1 Secretary General

The Secretary General shall

- a. 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.
- b. Direct the work of the National Council in implementing the policies set by the General Assembly.
- c. Present a report of activities to the annual meeting of the General Assembly.
- d. Be the official spokesperson of the MCB.
- e. Be responsible for maintaining a record of proceedings and resolutions of the National Council in a Minutes Book
- f. Convene and Chair meetings of the Executive Committee.

4.4.2 Deputy Secretary General

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.

4.4.3 Treasurer

The Treasurer shall

- a. Keep accounts of the finances of the MCB and be responsible for the management of the financial affairs of the MCB.
- b. Provide accounts for audit at least once a year by the auditors appointed by the annual meeting of the General Assembly.

- c. Chair meetings of the Finance & General Purpose Committee.
- d. Determine the specific role and responsibility of the Assistant Treasurer in consultation with the Secretary General and shall keep the National Council informed.

4.4.4. Other office-bearers

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 at a duly convened meeting of the Executive Committee and in so doing, the Secretary General shall keep the National Council informed.

4.5 Specialist Committees

4.5.1 Appointment of Chairpersons

Pursuant to 4.2.2 (b) and 4.3.2 (b) above, each specialist committee will have a chairperson who will be appointed by and be responsible to the National Council. The chairpersons of the five main specialist committees shall be members of the National Council in order to facilitate efficiency and accountability.

The chairpersons of other committees need not be members of the National Council.

4.5.2 Membership

- a. Subject to the approval of the National Council (and/or Executive 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 National Council, specialist committees may invite non-Muslims to attend and contribute where their expertise adds value to the work of the MCB.

4.5.3 Functions

4.5.3.1 Functions of the **Finance & General Purpose Committee** shall be to:

- a. 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.

- b. Ensure compliance with any Financial Protocols agreed by the National Council.
- c. 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.

4.5.3.2 Functions of the **Research & Documentation Committee** shall be to:

- a. Keep an accurate database on Muslim institutions and community activity for the purpose of effectively serving the community
- b. Monitor demographic, social and economic trends in the community in order to inform policy making and encourage good practice in community development

4.5.3.3 Functions of the **Public Affairs & Media Committee** shall be to:

- a. Develop and implement a communications strategy reflecting the policies of the MCB.
- b. Monitor and interact with the media and inform the Executive Committee of issues of interest or potential interest to the media.
- c. Formulate and provide strategic advice on matters of public affairs and media to the Executive Committee and the National Council.
- d. Prepare draft Press Release and Statements for approval of the Office Bearers and collate responses for final draft approval by the Secretary General.
- e. Provide support to the Secretary General in the discharge of his duties as the Spokesperson of the MCB.

4.5.3.4 Functions of the **Legal Affairs Committee** shall be to:

- a. Provide legal advice and support to the National Council and Executive Committee as well as other Committees and Task Groups, as and when required.
- b. Receive documents that need response from the MCB and seek comment from appropriate Committee/Task Group/Project before drafting final response for approval by the Secretary General.
- c. Initiate and co-ordinate, where appropriate, action on matters that require legal experience or knowledge.
- d. Receive and debate any proposals from the Constitutional Review Sub-Committee before forwarding the same to the National Council via the Sub-Committee.

4.5.3.5 Functions of the **Membership Committee** shall be to:

- a. Consider and make recommendations to the National Council on applications received for membership.
- b. Keep categories of membership under review and make recommendations to the National Council, when appropriate.
- c. Prepare data and advise on the representation of bodies to the General Assembly and collect affiliation fees.

4.5.4 Minutes Book

Each Specialist Committee shall maintain a record of its proceedings and Resolutions in a Minutes book.

4.6 Board of Counsellors

4.6.1 Role

- a. The Board of Counsellors shall serve as an advisory body for proposals and suggestions from and to the General Assembly, the National Council, Executive Council 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 in accordance with approved Governance Protocols.
- b. The Board of Counsellors will be notified of meetings of the National Council 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.

4.6.2 Composition

- a. Members shall be appointed by the National Council and shall hold office for a period of six years or less. Members so appointed shall be experts in Shariah and Muslims of good repute who have achieved distinction in other fields.
- b. Immediate past Secretary General, Deputy Secretary General and Treasurer may become members of the Board of Counsellors for a term not exceeding four years.

4.6.3 Meetings

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.

The Board shall keep a record of its meetings in a minute book maintained by its Secretary.

5. Suspension and removal

5.1 Non-Attendance at meetings

Any member of the National Council 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 5.3 below.

5.2 Acts contrary to Shariah

Any member of the National Council engaged in acts contrary to the Shariah shall be liable to removal from the National Council. The member affected will have the right of appeal in accordance with the appeals procedure set out in 5.3 below.

5.3 Appeals Process

A member of the National Council 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 National Council before the decision to suspend is made. The decision to suspend will require a two-third majority vote of the total membership of the National Council. 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.

6. Finance

6.1 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.

6.2 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

6.3 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 National Council 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.

7. Relationship with other Organisations

7.1 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.

7.2 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.

8. Legal status

8.1 Basis of association

The MCB shall be an unincorporated association.

8.2 Title to property

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.

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.

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.

9. Amendments to the Constitution and standing Orders

The Preamble and Article 3.1 of the Principles of Association (Section 3) of this Constitution are not subject to amendment.

The Constitution may only be amended by special resolution of the General Assembly in accordance with 4.1.3 (h) above.

Provided the Constitution of the MCB is not affected, the National Council may amend the Standing Orders for the sole purpose of ensuring the smooth functioning of the MCB in the attainment of its objectives. National Council must inform all MCB member bodies of any proposed and agreed amendment.

10. 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.

11. Interpretation of the Constitution

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