

# The Constitution of Canberra Islamic Centre

221 Clive Steele Avenue  
Monash, ACT 2904



# THE CONSTITUTION OF THE CANBERRA ISLAMIC CENTRE INC.

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## **The Name and the Place of the association:**

- (1) The name of the association shall be the Canberra Islamic Centre Incorporated.
- (2) The office of the association shall be situated at 221 Clive Steel Avenue, MONASH ACT 2905

## **Vision of the Canberra Islamic Centre**

To be an exemplary Australian Islamic institution that practices and upholds the values of Islam.

## **Aims and objectives of the Canberra Islamic Centre**

- (1) To raise the profile of Muslims in the ACT.
- (2) To promote and celebrate the culturally and socially diverse identity of the Muslims of the ACT.
- (3) To build and maintain a cohesive, tolerant, religious, social, cultural and educational centre that promotes gender equality and serves the needs of Muslims of the ACT and the broader Australian community.
- (4) To foster co-operation and communication between different ethnic groups of Muslims through newsletters, social functions and celebration of festivals.
- (5) To be a catalyst for social contact and co-operation amongst Muslims and other social groups and communities of the ACT.
- (6) To provide a platform to establish a cohesive identity of Muslims of the ACT

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## Part 1.1 Preliminary

### 1 Definitions for model rules

In these rules:

**Note** A definition applies except so far as the contrary intention appears (see Legislation Act, s 155).

**Financial Year** means the year ending on 30 June.

**Member** means a member, however described, of the association.

**Foundation Member** means a member who has paid a donation of an amount determined by the Executive Committee and whose application as a Foundation Member is accepted and confirmed by the Executive Committee.

**Ordinary Member** means a member who is not a Foundation Member.

**Ordinary Executive Committee Member** means a member of the Executive Committee who is not an office-bearer of the association as mentioned in section 12 (1) (a).

**Secretary** means the person holding office under these rules as secretary of the association or, if no such person holds that office, the public officer of the association.

**the Act** means the Associations Incorporation Act 1991.

**The Regulation** means the Associations Incorporation Regulation 1991.

### 1.1 Application of Legislation Act 2001

The *Legislation Act 2001* applies to these rules in the same way as it would if they were an instrument made under the Act.

## **Part 1.2 Membership**

### **2 Membership qualifications**

(1) A person who is at least 18 years of age is qualified to be a member if

—

(a) the person is a person mentioned in the Act, section 21 (2) (a) or

(b) and has not ceased to be a member of the association at any time after incorporation of the association under the Act; or (b) the person

—

(i) has been nominated for membership in accordance with section 3 (1); and

(ii) has been approved for membership of the association by the Executive Committee of the association.

### **3 Nomination for membership**

(1) A nomination of a person for membership of the association

(a) must be made by the person in writing on the prescribed form; and

(b) must be lodged with the Secretary of the association.

(2) As soon as is practicable after receiving a nomination for membership, the Secretary must refer the nomination to the Executive Committee which must decide whether to approve or to reject the nomination.

(3) If the Executive Committee decides to approve a nomination for membership, the Secretary must as soon as practicable after that decision notify the nominee of that approval and request the nominee to pay within 28 days after receipt of the notification the sum payable, as determined by the Executive Committee from time to time, under these rules by a member as the entrance fee.

(4) The Secretary must, on payment by the nominee of the amounts

mentioned in subsection (3) above within the period mentioned in that subsection, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

- (5) A member can apply to the Executive Committee to become a Foundation Member by lodging in writing with the Secretary an application form as set out in Appendix 2.
- (6) The Executive Committee will consider in its sole discretion if it is in the best interest of CIC to accept the application received as described in sub-clauses (2&5) above noting the aims and objectives of the CIC.
- (7) Ordinary and Foundation Membership will be for life unless the membership ceases in accordance with Clause 5.

#### **4 Membership entitlements not transferable**

- (1) A right, privilege or obligation that a person has because of being a member of the association —
  - (a) cannot be transferred or transmitted to another person; and
  - (b) terminates on cessation of the person's membership.

#### **5 Cessation of membership**

- (1) A person ceases to be member (Ordinary or Foundation) of the association if the person —
  - (a) dies or, for a corporation, is wound up; or
  - (b) resigns from membership of the association; or
  - (c) is expelled from the association; or
  - (d) is suspended from the association for a duration determined by the Executive Committee.
  - (e) member suspended in accordance with Clause 5 (d) above may apply in accordance with Clauses 2 and 3 above to become member on completion of the duration of suspension.

## **6 Resignation of membership**

- (1) A member may resign from membership of the association by giving a notice in writing to the Secretary.
- (2) As soon as is practicable after receiving the resignation of the membership, the Secretary must refer the resignation to the Executive Committee which must decide whether to accept or to reject the application and request the member to reconsider.
- (3) If the resignation is accepted by the Executive Committee then the person ceases to be a member, the Secretary must make an appropriate entry in the register of members recording the date the member ceased to be a member.

## **7 Fee, subscriptions etc.**

- (1) The entrance fee for membership (Ordinary Member) of the association is \$20 or another amount as determined by the Executive Committee from time to time.
- (2) The entrance fee is payable at the time of application for membership and is non-refundable irrespective of whether the application is accepted or rejected by the Executive Committee.
- (3) The donation to be paid along with the application to be a Foundation Member is \$4000, or another amount as determined by the Executive Committee from time to time.

## **8 Members' liabilities**

- (1) The liability of a member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount (if any) unpaid by the member in relation to membership of the association as required by section 7.

## **9 Disciplining of members**

- (1) If the Executive Committee is of the opinion that a member



- (a) has persistently refused or neglected to comply with a provision of these rules; or
  - (b) has persistently acted in a manner prejudicial to the interests of the association; or
  - (c) has committed an act or omission which seriously prejudices or harms the interests and good name of the association; the Executive Committee may, by resolution —
    - (d) expel the member from the association; or
    - (e) suspend the member from the rights and privileges of membership of the association that the committee may decide for a specified period.
- (2) A resolution of the Executive Committee under subsection (1) is of no effect unless the Executive Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subsection (3), confirms the resolution in accordance with this section.
- (3) If the Executive Committee passes a resolution under subsection (1), the Secretary must, as soon as practicable, serve a written notice on the member —
- (a) setting out the resolution of the Executive Committee and the grounds on which it is based; and
  - (b) stating that the member may address the Executive Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and
  - (c) stating the date, place and time of that meeting; and
  - (d) informing the member that the member may do either or both of the following:
    - (iii) attend and speak at that meeting;

- (iv) submit to the Executive Committee at or before the date of that meeting written representations relating to the resolution.
- (4) Subject to the Act, section 50, at a meeting of the Executive Committee mentioned in subsection (2), the Executive Committee must —
  - (a) give to the member mentioned in subsection (1) an opportunity to make oral representations; and
  - (b) give due consideration to any written representations submitted to the Executive Committee by that member at or before the meeting; and
  - (c) by resolution decide whether to confirm or to revoke the resolution of the Executive Committee made under subsection (1).
- (5) If the Executive Committee confirms a resolution under subsection (4), the Secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under section 10.
- (6) A resolution confirmed by the Executive Committee under subsection (4) does not take effect —
  - (a) until the end of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
  - (b) if within that period the member exercises the right of appeal — unless and until the association confirms the resolution in accordance with section 10 (4).

## **10**

### **Right of appeal of disciplined member**

- (1) A member may appeal to the association in general meeting against a resolution of the Executive Committee that is confirmed

under section 9 (4), within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.

- (2) On receipt of a notice under subsection (1), the Secretary must notify the Executive Committee which must call a general meeting of the association to be held within 21 days after the date when the Secretary received the notice or as soon as possible after that date.
- (3) Subject to the Act, section 50, at a general meeting of the association called under subsection (2)—
  - (a) no business other than the question of the appeal may be transacted; and
  - (b) the Executive Committee and the member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - (c) the members present must vote by secret ballot on the question of whether the resolution made under section 9 (4) should be confirmed or revoked.
- (4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under section 9 (4), that resolution is confirmed.
- (5) A member disciplined by the Executive Committee by suspension of membership will be ineligible to stand for membership of the Executive Committee for a period of five years from the date of suspension and subject to review on appeal at the end of five years.

## **Part 1.3 Executive Committee**

### **11 Powers of Executive Committee**

- (1) The Executive Committee, subject to the Act, the regulation, these rules, and to any resolution passed by the association in general meeting —
  - (a) controls and manages the affairs of the association; and

- (b) may exercise all functions that may be exercised by the association other than those functions that are required by these rules to be exercised by the association in general meeting; and
- (c) has power to perform all acts and do all things that appear to the Executive Committee to be necessary or desirable for the proper management of the affairs of the association.

## **12 Constitution and membership**

- (1) The Executive Committee consists of —
  - (a) the four office bearers of the association; and
  - (b) six ordinary committee members; each of whom must be elected under section 13 or appointed in accordance with subsection (4);
  - (c) at least six members of the Executive Committee shall be Foundation Members.
  - (d) There shall be at least two women members on the Executive Committee. If the women have not nominated to stand for election, then the elected Executive Committee shall co-opt two women members whose inclusion will benefit CIC to the Executive Committee. In such a situation the Executive Committee will consist of 12 members but shall have no more than two members from the same community group or ethnicity the remaining members of the Executive Committee shall be Ordinary Members; and
  - (e) The composition of the Executive Committee as described in this clause 12 shall always comply with the requirements of Clause 13.9 below.
- (2) The office bearers of the association are —
  - (a) the President; and

- (b) the Vice President; and
  - (c) the Treasurer; and (d) the Secretary.
- (3) Each member of the Executive Committee holds office, subject to these rules, until the conclusion of the annual general meeting following the date of the member's election, but is eligible for reelection.
  - (4) If there is a vacancy in the membership of the Executive Committee, the Executive Committee may appoint a member of the association to fill the vacancy and the member so appointed holds office, subject to these rules, until the conclusion of the next annual general meeting after the date of the appointment.

### **13 Election of Executive Committee members**

- (1) Nominations of candidates for election as ordinary Executive Committee members —
  - (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
  - (b) must be given to the Secretary of the association not less than 7 days before the date fixed for the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the Executive Committee, the candidates nominated are taken to be elected and further nominations may be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the Executive Committee are taken to be vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the people nominated are taken to be elected.

- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot must be held.
- (6) The ballot for the election of ordinary Executive Committee members must be conducted at the annual general meeting in the way the Executive Committee may direct.
- (7) A person is not eligible to simultaneously hold more than one position on the Executive Committee.
- (8) The ten members elected to the Executive Committee shall elect within themselves four office bearers of the association, namely President, Vice-President, Treasurer and Secretary.
- (9) No more than two members of the Executive Committee will be from the same ethnicity.
- (10) The Executive Committee shall nominate a member to be the Public Officer in accordance with Part 4 of the Act.

## **14 Conflict of Interest**

- (1) A member of the Executive Committee will not engage in any direct or indirect commercial activity with the association.
- (2) A member of the Executive Committee shall notify any event where a conflict of interest situation may arise to the other EC members as per the CIC procedures. The said member may stand down voluntarily as per the undertaking in Clause 14.4.
- (3) If the conflict of interest situation is not resolved and EC member does not stand down as per clause 14.4 voluntarily, action may be taken in accordance with Clause 17 for the removal of member from the Executive Committee by any member of the association.
- (4) The member nominating to the Executive Committee will be required to sign the declaration at Appendix 3.
- (5) A newly elected member of the EC who had prior commercial or contractual arrangements for the completion of certain critical tasks before being elected to the EC position will be exempted from the

operation of Clause 14.2 above until the completion of those tasks and the EC members must not be involved in the decision making of that commercial or contractual agreement.

- (6) No new commercial arrangement will be made with the newly elected EC member in Clause 14.5 above during his/her tenure where it could be perceived as conflict of interest as per Clause 14.1 and Clause 14.2.
- (7) Members of the Executive Committee cannot be members of the Executive Committee (or any other decision making body) of another organisation or association which, in the opinion of the Executive Committee, has similar aims and objectives as the CIC.
- (8) Any member of the Executive Committee who is currently a member of such other organisations or associations described above must disclose their membership role with such other organisation or association to the Executive Committee of the CIC for consideration of the continuation of such members holding the membership of the Executive Committee.
- (9) Any conflict of interest whether real, perceived or potential, in the opinion of the Executive Committee, shall be sufficient basis to remove such a member from the Executive Committee.
- (10) The Executive Committee of the CIC by a simple majority shall decide whether such a member can be retained on the Executive Committee of the CIC or not.
- (11) In considering Clause 14, the interest of the CIC will be the paramount and decisive consideration.

## 15

### **Secretary**

- (1) The Secretary of the association must, as soon as practicable after being appointed as Secretary, notify the association of his or her address.
- (2) The Secretary must keep minutes of —

- (a) all elections and appointments of office bearers and ordinary Executive Committee members; and
  - (b) the names of members of the Executive Committee present at an Executive Committee meeting or a general meeting; and
  - (c) all proceedings at Executive Committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting

## **16 Treasurer**

- (1) The Treasurer of the association must —
- (a) collect and receive all amounts owing to the association and make all payments authorised by the association; and
  - (b) keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected with the activities of the association.
  - (c) produce an up to date financial statement for the Executive Committee at least once a month or earlier, if requested.

## **17 Vacancies**

- (1) For these rules, a vacancy in the office of a member of the Executive Committee happens if the member —
- (a) dies; or
  - (b) ceases to be a member of the association; or
  - (c) resigns from the office; or
  - (d) is removed from office under section 18 (Removal of Executive Committee members); or
  - (e) becomes bankrupt or personally insolvent; or
  - (f) suffers from mental or physical incapacity; or



- (g) is disqualified from office under the Act, section 63 or
- (h) is absent without valid reason and the consent of the Executive Committee from three consecutive monthly meetings.

## **18 Removal of Executive Committee members**

- (1) The association in general meeting may by resolution subject to the Act, section 50, remove any member of the Executive Committee from the office of member of the Executive Committee before the end of the member's term of office

## **19 Executive Committee meetings and quorum**

- (1) The Executive Committee must meet at least 10 times in a fiscal year at the place and time that Executive Committee may decide
- (2) Additional meetings of the Executive Committee may be called by any member of the Executive Committee
- (3) Oral or written notice of a meeting of the Executive Committee must be given by the Secretary to each member of the Executive Committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the Executive Committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subsection (3) above must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the Executive Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 4 members of the Executive Committee constitute a quorum for the transaction of the business of a meeting of the Executive Committee.
- (6) No business may be transacted by the Executive Committee unless a quorum is present and, if within half an hour after the time

appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week.

- (7) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting is dissolved.
- (8) At meetings of the Executive Committee —
  - (a) the President or, in the absence of the President, the Vice-President presides; or
  - (b) if the President and the Vice-President are absent—1 of the remaining members of the Executive Committee may be chosen by the members present to preside.

## **20**

### **Delegation by Executive Committee to subcommittee**

- (1) The Executive Committee may, in writing, delegate to 1 or more subcommittees (consisting of the member or members of the association that the Executive Committee considers appropriate) the exercise of the functions of the Executive Committee that are specified in the instrument, other than: (a) this power of delegation; and
  - (b) a function that is a function imposed on the Executive Committee by the Act, by any other Territory law, or by resolution of the association in general meeting.
- (2) A function, the exercise of which has been delegated to a subcommittee under this section may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, that may be specified in the instrument of delegation.

- (4) Despite any delegation under this section, the Executive Committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the Executive Committee.
- (6) The Executive Committee may, in writing, revoke wholly or in part any delegation under this section.
- (7) A subcommittee may meet and adjourn as it considers appropriate.

## **21**

### **Voting and decisions**

- (1) Questions arising at a meeting of the Executive Committee or of any subcommittee appointed by the Executive Committee are decided by a majority of the votes of members of the Executive Committee or subcommittee present at the meeting.
- (2) Each member present at a meeting of the Executive Committee or of any subcommittee appointed by the Executive Committee (including the person presiding at the meeting) is entitled to 1 vote but, if the votes on any question are equal, the person presiding may exercise a second or casting vote.

## **Part 1.4 General meetings**

### **22 Annual general meetings—holding of**

(1) With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and within 5 months after the end of each financial year of the association, call an annual general meeting of its members. (2) The association must hold its first annual general meeting—

- (a) within 18 months after its incorporation under the Act; and
- (b) within 5 months after the end of the financial year of the association.

(3) Subsections (1) and (2) have effect subject to the powers of the registrar-general under the Act, section 120 in relation to extensions of time.

### **23 Annual general meetings—calling of and business at**

(1) The annual general meeting of the association must, subject to the Act, be called on the date and at the place and time that the Executive Committee considers appropriate.

(2) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is—

- (a) to confirm the minutes of the last annual general meeting and of any general meeting held since that meeting; and
- (b) to receive from the Executive Committee reports on the activities of the association during the last financial year; and
- (c) to elect members of the Executive Committee, including office-bearers; and
- (d) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73 (1).

- (3) An annual general meeting must be specified as such in the notice calling it in accordance with section 25 (Notice).
- (4) An annual general meeting must be conducted in accordance with the provisions of this part.

## **24 General meetings—calling of**

- (1) The Executive Committee may, whenever it considers appropriate, call a general meeting of the association.
- (2) The Executive Committee must, on the requisition in writing of not less than 5% of the total number of members, call a general meeting of the association.
- (3) A requisition of members for a general meeting —
  - (a) must state the purpose or purposes of the meeting; and
  - (b) must be signed by the members making the requisition; and
  - (c) must be lodged with the Secretary; and
  - (d) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- (4) If the Executive Committee fails to call a general meeting within 1 month after the date when a requisition of members for the meeting is lodged with the Secretary, any 1 or more of the members who made the requisition may call a general meeting to be held not later than 3 months after that date.
- (5) A general meeting called by a member or members mentioned in subsection (4) must be called as nearly as is practicable in the same way as general meetings are called by the Executive Committee and any member who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

## **25 Notice**

- (1) Except where the nature of the business proposed to be dealt

with at a general meeting requires a special resolution of the association, the secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by a combination of an electronic mail to the email address of members (where provided) and/or a SMS message to the mobile phone number of the members (where provided) and by uploading on Canberra Islamic Centre Inc. official web site and displaying in hard copy on the CIC notice board, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting. Notice is deemed to have been delivered in respect of members who have not provided an email address or a mobile phone number once the said notice is posted on the official web site of CIC ([www.cic-anil.org.au](http://www.cic-anil.org.au)) within the time frame as required by this Constitution for Annual General Meetings or Special Meetings. Any other electronic/non electronic means available may also be used where possible and feasible at the discretion of the Executive Committee of CIC Inc. to publicise widely the holding of the Annual General Meeting.

- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, send notice to each member in the way provided in subsection (1) specifying, in addition to the matter required under that subsection, the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business that may be transacted under section 22 (2).
- (4) A member desiring to bring any business before a general meeting may give written notice of that business to the Secretary

who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

## **26 General meetings—procedure and quorum**

- (1) No item of business may be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Thirty Five (35) members including at least five (5) members of the Executive Committee present in person (who are entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within 30 minutes after the appointed time for the start of a general meeting a quorum is not present, the meeting if called on the requisition of members is dissolved and in any other case stands adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the start of the meeting, the members present (being not less than 15 including at least 5 EC members) constitute a quorum.

## **27 Presiding member**

- (1) The President, or in the absence of the President, the VicePresident, presides at each general meeting of the association.
- (2) If the President and the Vice-President are absent from a general meeting, the members present must elect one (1) of their number to preside at the meeting.

## **28**

### **Adjournment**

- (1) The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the Secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subsections (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **29**

### **Making of decisions**

- (1) A question arising at a general meeting of the association is to be decided on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the person presiding or by not less than 50% of the members present in person at the meeting.
- (3) If the poll is demanded at a general meeting, the poll must be taken

—



- (a) immediately if the poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
- (b) in any other case—in the way and at the time before the close of the meeting that the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

## **30 Voting**

- (1) Subject to subsection (3), on any question arising at a general meeting of the association a member has One (1) vote only
- (2) All votes must be given personally
- (3) If the votes on a question at a general meeting are equal the person presiding is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote or attend any general meeting if the member has been suspended by the Executive Committee.

## **Part 1.5 Miscellaneous**

### **31 Funds—source**

- (1) The funds of the association must be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting and subject to the Act, section 114, any other sources that the Executive Committee decides.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt

## **32 Funds—management**

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association must be used for the objects of the association in the way that the Executive Committee decides
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the Executive Committee or employees of the association, being members of the Executive or employees authorised to do so by the Executive Committee

## **33 Alteration of objects and rules**

- (1) Neither the objects of the association mentioned in the Act, section 29 nor these rules may be altered except in accordance with the Act

## **34 Common seal**

- (1) The common seal of the association must be kept in the custody of the Secretary.
- (2) The common seal must not be attached to any instrument except by the authority of the Executive Committee and the attaching of the common seal must be attested by the signatures either of 2 members of the Executive Committee or of 1 member of the Executive Committee and of the Secretary

## **35 Custody of books**

- (1) Subject to the Act, the regulation and these rules, the Secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the association

## **36 Inspection of books**

- (1) The records, books and other documents of the association must be open to inspection at a place in the ACT, free of charge, by a member of the association at any reasonable hour

### **37 Service of notice**

- (1) For these rules, the association may serve a notice on a member by sending it by post or email or by electronic messaging to the member at the member's address shown in the register of members.

### **38 Surplus property**

- (1) At the first general meeting of the association, the association must pass a special resolution nominating —
  - (a) another association for the Act, section 92 (1) (a); or
  - (b) a fund, authority or institution for the Act, section 92 (1) (b);in which it is to vest its surplus property in the event of the dissolution or winding up of the association.
- (2) An association nominated under subsection (1) (a) must fulfil the requirements specified in the Act, section 92 (2).

### **39 Ancillary Units of the Canberra Islamic Centre**

- (1) All ancillary units of the Canberra Islamic Centre shall be administered by the Executive Committee.

#### **39.1 The Australian National Islamic Library (ANIL)**

- (1) The fund and its account shall be known as the Canberra Islamic Centre Library Fund. This fund will be used for the Australian National Islamic Library.
- (2) The fund shall be collected and maintained through a separate account with a nominated bank. Each donation will be acknowledged by an official receipt of the Canberra Islamic Centre Library Fund and will bear the gift deductibility inclusion.
- (3) The account (CIC Library Fund) shall be maintained and operated by the office bearers namely the president, the treasurer and the secretary of the Executive Committee of the Canberra Islamic Centre according to the terms and conditions as applicable to any other funds operated by the Canberra Islamic Centre under its constitution
- (4) The account (CIC Library Fund) administered by CIC and its account of income, receipts and expenditures will be separately maintained and audited from that of CIC.

- (5) The Executive Committee shall appoint, ANI Library Sub-Committee for to be responsible for the policies, procedures and administration of the library on day to day basis.
- (6) The policies and guidelines regarding the operation of ANIL will be proposed from time to time by the Library sub-committee and promulgated by the Executive Committee after approval.
- (7) This CIC Library fund will be used for
  - (a) the planning and the construction of the premises which will house the library;
  - (b) the purchase of fixtures and fitting and the furnishing of the premises to make it suitable for use as a library;
  - (c) the purchase of stock, books, magazines and other material in nonprinted form; audio-visual appliances, furniture, shelves, and other equipment commonly used in any other public library;
  - (d) to maintain the said premises, its stock and equipment in reasonable state;
  - (e) to purchase, from time to time material which will be current and relevant to the need of the library;
  - (f) to pay the salary or wages of a professional person(s) engaged to administer the library under the guidance of the Library SubCommittee.
- (8) No part of this fund shall be used for any purpose other than the purpose as described in article (7) above nor any part of this fund shall be used for a profit-making operation or it be used for any pecuniary benefit to any of its office bearers or members.
- (9) To maintain the integrity of the fund with the purpose of its establishment, the Library when it shall be constructed will be paid and maintained separately from other buildings of the Canberra Islamic Centre but within its complex.
- (10) The account of all incomes and expenditures pertaining to the library will be maintained separately from all other accounts and audited separately and presented to and approved by the AGM of CIC members every year.
- (11) If the endorsement of the Library as a deductible gift recipient is revoked, the Canberra Islamic Centre will continue to run the library on its own as a public library.
- (12) If CIC is wound up the assets of the Australian National Islamic Library after the payment of the Library's debts and other liabilities shall be transferred to another public library that has a tax-deductible endorsement and will keep the collection intact.

## **39.2**

### **The Masjid and Islamic Learning Centre (MILC)**

- (1) The Executive Committee shall appoint, for a period of one year, a minimum of three and a maximum of five members to administer

the MILC (MILC Subcommittee) with a member of the Executive Committee appointed as the Chairperson of MILC.

- (2) The policies and guidelines regarding the operation of MILC will be promulgated by the Executive Committee from time to time as required through the MILC Subcommittee.