

(NATIONAL CAPITAL REGION) CANADA

(ISSUE No. 7)

Non-Profit Canadian Charitable Organization with Registration# 0951392-39(89344 7567 RR 0001)

ISSUE NO.	DESCRIPTION
0	Adopted the constitution approved by I.S.I.A. members at the January 16, 1993 Annual General Body Meeting.
1	Updated the Constitution to include amendments approved by I.S.I.A. members at the April 9, 1994 and February 26, 2000, Annual General Body Meetings (AGBM) AS FOLLOWS: - Section 4.1 was amended as approved by AGBM of February 26, 2000 - Sections 4.3, 4.4, 4.5 and 4.6 were added as approved by AGBM of February 26, 2000. - Sections 5.1 and 5.2 were amended as approved by AGBM of February 26, 2000. - Sections 6.10, 6.11, 6.12 and 6.13 were added as approved by AGBM of April 9, 1994. - Sections 6.2, 6.8(a), 6.8(c) and 6.10 were amended as approved by AGBM of February 26, 2000. - Section 7.4 was repealed and Sections 7.5 and 7.6 were renumbered 7.4 and 7.5 Respectively as approved by AGBM of April 9, 1994. - Section 8.9 was added as approved by AGBM of April 9, 1994. - Section 11.5 was added as approved by AGBM of April 9, 1994. - Section 12.1 (e) was amended as approved by AGBM of February 26, 2000. - Article 16 and Section 16.1 with Appendix B were added as approved by AGBM of February 26, 2000.
2	Updated the Constitution to incorporate the amendments (changing the terms from 3 to 5 years for the Trustees and from 2 to 3 years for the Executive Committee and Ladies Committees) approved by I.S.I.A. members at the February 22, 2003, Annual General Body Meeting as follows: - In Section 6.1; Replaced "two" with "three" and "other" with "third". - In Section 6.10; Replaced "two" with "three". - In Section 8.1(d); Replaced "second" with "third" and "two" with "three". - In Section 8.1(f); Replaced "three" with "five". - In Section 8.2; Replaced "second" with "third". - In Section 11.1; Replaced "three" with "five".
3	Updated the Constitution to incorporate the amendments (changing the terms from 3 to 2 years for the Executive Committee and Ladies Committees) approved by I.S.I.A. members at the 2009 Annual General Body Meeting (December 12, 2009) as follows: - In Section 6.1; Replaced "three" with "two" and "third" with "second". - In Section 6.10; Replaced "three" with "two". - In Section 8.1(d); Replaced "third" with "second" and "three" with "two". - In Section 8.2; Replaced "third" with "second".
4	Updated the Constitution to incorporate the amendments as approved by I.S.I.A. members at the Annual General Body Meetings (2012-2014): - Section 6.6: EC spending limit increased from 500 to 1400 as per Amendment passed during 2013 AGBM on 14th December 2013 - Section 6.8: Treasurer (iii) Addition of (Tax Receipt will be emailed unless otherwise requested by the donor/member in writing or in person request) as per Amendment passed during 2012 AGBM on 27th Jan 2013 - Section 6.10: Six elected Female positions are changed to only one elected Position of a Chairlady as per Amendment passed during 2012 AGBM on 27th Jan 2013 - Section 8.5: Added : Those members in good standing who are not in town due to justified reasons shown via proof , can vote early by contacting the Election Commissioner after Nomination is confirmed and the day of AGBM as per Amendment passed during 2013 AGBM on 14th December 2013 - Appendix B: Added : Memberships are given to Shia Ithna Asheri Muslims (Twelver) only with the exception of giving family membership to those families where at least one spouse is a Shia and a member of our community and the other spouse is a Muslim other than Shia Ithna Asheri as per Amendment passed during 2014 AGBM on 11th Jan 2015 - Removed other half of section 8.9 and elaborated it by adding Section 8:10 Notice and agenda of AGBM/SGM meeting shall be delivered by the Secretary by, e-mail , and in-person (preferred) and via snail mail (in exceptional cases , where members are not tech-savvy) to the members in good standing as per Amendment passed during 2012 AGBM on 27th Jan 2013. - Removed the very last page as it was also tracking the amendments on 1994 AGBM which are already covered above.
5	Updated the Constitution to incorporate the amendment as approved by I.S.I.A. members at the 2015 Annual General Body Meeting (Dec 5th 2015): Section 8.2: Added that for running for the Executive Committee there is a requirement that the candidate must be a member in good standing for the past 2 years.

6	Updated the Constitution to incorporate the amendments as approved by ISIA members at the Annual (AGM) and Special (SGM) meetings of General Body (years 2016-2020) AGM 2016 (conducted on Jan 14 2017): • <i>"Both the spouses of a given family cannot be elected, nor serve, at an elected position at the same time"</i>: Updated article 8.2 • <i>"Chair Lady be a part of the Executive Committee (EC) as a voting member"</i>: Updated article 6.1, removed article 6.8 (a) (iv), added new article 6.8 (e) between previous article 6.8 (d) and (e). SGM 2017 (conducted on Sep 17, 2017) • <i>"For running for the Executive Committee there is a requirement that the candidate must be a member in good standing for the past 2 years (730 days) from the date of his membership approval"</i>: Updated article 4.6, 8.1 (d) • <i>Change of term length for trustees from 5 years to 4 year</i>: Updated article 8.1 (f), 11.1 AGM 2017 (conducted on Dec 16, 2017): • <i>"Meeting adjournment to meet quorum requirement be reduced from 30 mins to 15 mins"</i>: Updated article 8.3 • <i>"If someone does not pay the membership by Dec 31st, then they will need to re-apply for membership and pay membership fee for previous years as well"</i>: Updated article 5.2 AGM 2018 (conducted on Jan 19, 2019): • <i>"Change the restriction on the election of the Executive Committee from 2 terms to 4 terms"</i>: Updated article 8.2 • <i>"As Chair Lady is now a member of Executive Committee, same rules should apply to this position as for the rest of the EC including election and refiling of the position"</i>: Updated articles 6.10, 6.11 • <i>"Spouses on EC position can hold Trustee positions"</i>: Updated article 11.1 Other Changes: • Also fixed some typos, grammar, and whitespace issues: article 6.8 (b) (vii), 6.8 (c) (iii), 6.11, 6.12, 8.9, 8.10, 10.1, 12.1 (a), 14.1.
7	Updated the Constitution to incorporate the amendment as approved by I.S.I.A. members at the 2025 Special General Body Meeting (SGM dated Sep 26th 2025): • Section 4.6: Updated text <i>"A member is eligible to contest for an elected office only if he has been a member in good standing atleast for past 730 days"</i> to <i>"A member shall be eligible to contest for an elected office if he/she: (a) has been a member of ISIA Ottawa for at least the current calendar year and the immediately preceding calendar year prior to the date of the election; and (b) is a member in good standing at the time of nomination and at the time of election."</i> • Section 8.5: Updated text to remove proxy voting provision by updating the text <i>"Members in good standing who cannot be physically present in the AGBM due to justified / travelling reasons which should be proved to the Election Commissioner can cast their vote by contacting the election commissioner any time after nominations are finalized and AGBM day"</i> to <i>"Only members physically present at the AGBM shall be eligible to vote"</i>.

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**Constitution of the Islamic Shia Ithna-Asheri Association of Ottawa, Canada
(National Capital Region)**

(In this Constitution wherever the words “**He**”, “**he**”, “**Him**”, and “**him**” are used, they shall be deemed to include “**She**”, “**she**”, “**Her**”, and “**her**” respectively.)

ARTICLE 1: THE NAME OF ORGANIZATION

- 1.1 This religious organization shall be known as the “(Islamic Shia Ithna- Asheri Association of Ottawa, Canada (National Capital Region)”, hereinafter referred to as the Association
- 1.2 The office of the Association or its Secretariat to conduct the Association’s business shall be located in the Ottawa-Carleton region at the address decided by the Executive Committee.

ARTICLE 2: THE AIMS AND OBJECTIVES OF THE ASSOCIATION

- 2.1 The aims and objectives of the Association shall be:
- (a) To encourage, promote and propagate the teachings of Islam according to Shia Ithna-Asheri Ja’fari faith and to provide facilities for the members and their families to observe the same;
 - (b) To accept and/or manage charitable trusts and/or bequests from any individual or organization in accordance with the terms of such trusts or bequests so long as the terms are acceptable to the members of the Association and trusts or bequests fall within the general aims and objectives of the Association and according to the laws and by-laws of the Government of Ontario;
 - (c) To accept donations, gifts, legacies and bequests for use in promoting the objectives of the Association and carrying out its activities; and
 - (d) To create, receive, raise and invest funds and to buy, sell, build, own, and let properties in order to further its aims and objectives.
- 2.2 The Association is a non-political organization; however, it may pursue ancillary and incidental political activities of a non-partisan nature in order to further its aims and objectives
- 2.3 The Association shall operate as an autonomous self-governing organization subject to relevant municipal, provincial and federal laws.
- 2.4 The Association is a charitable, non-profit organization and its activities shall be carried out without purpose of material gains for its members and all profits and accretions of the Association shall be used in promoting its aims and objectives.

ARTICLE 3: THE ACTIVITIES OF THE ASSOCIATION

- 3.1 The activities of the Association shall be:

- (a) To hold congregations on religious events in accordance with the Islamic calendar;
- (b) To establish and maintain facilities (Mosques, Imambargahs, schools) as a means to achieve Association's objectives;
- (c) To organize and conduct classes for Islamic teachings and instructions for its members and their children;
- (d) To print and distribute literature of religious contents and if necessary, sell some of this literature for the purpose of fund raising for the Association;
- (e) To make arrangements for the acquisition and maintenance of a cemetery or part thereof;
- (f) To conduct public meetings of purely religious nature and to maintain religious activities by inviting speakers who are scholars in Islamic theology, history, sermons and recitations to speak to all who are interested in learning Islam;
- (g) To receive, acquire and hold gifts, donations and membership subscriptions to meet the expenses of the Association;
- (h) To extend cooperation with other organizations which have similar objectives as that of the Association.
- (i) To carry out such activities or to conduct such business as may be auxiliary or related to the achievement for the above objective of the Association; and
- (j) To rent a suitable public place (until the Association is able to own its own facility) for holding congregations on religious events.

3.2 All activities and undertaking of the Association shall remain within the bounds of the Islamic Sharia (Jurisprudence) of the *Shia Ithna-Asheri Ja'fari* faith.

ARTICLE 4: MEMBERSHIP

- 4.1 All followers of the Shia Ithna-Asheri Ja'fari faith resident of Ontario and Quebec and of the full age of eighteen years and over shall be eligible, upon application and after meeting the requirements set out in Appendix B, to become members of the Association.
- 4.2 The Executive Committee shall screen all applications for membership and approve or reject such application. In the event that the Executive Committee is not unanimous in its decision, the matter shall be referred to the General Body for the final decision.
- 4.3 The President, with the approval of:

- (a) The Executive Committee, may grant suitable citations or medals to distinguished followers of the Ja'fari faith and other individuals who have rendered outstanding services to the Ja'fari community in Canada; and
- (b) The General Body may grant honorary non-voting membership to distinguished followers of the Ja'fari faith in Canada.

4.4 A member in good standing is a person who:

- (a) qualifies for membership in accordance with Article 4;
- (b) Has paid his subscription in accordance with Article 5; and
- (c) Upholds the principles laid down in this Constitution.

4.5 Members in good standing shall collectively be referred to as the General Body.

4.6 For the purpose of election under Article 8, only those members of the General Body, who have paid up their annual subscription 30 days before the meeting, have the right to vote in the election and to contest for any elected office, trustee or position of the Association in accordance with Article 6. A member shall be eligible to contest for an elected office if he/she: (a) has been a member of ISIA Ottawa for at least the current calendar year and the immediately preceding calendar year prior to the date of the election, and (b) is a member in good standing at the time of nomination and at the time of election.

ARTICLE 5: SUBSCRIPTION

- 5.1 Such annual subscription as prescribed by the members from time to time by resolution passed at a General Body meeting by a simple majority shall be payable in advance to the Association. Such annual subscription shall be due on the first day of January every year.
- 5.2 Any member who falls in arrears for three months shall *ipso facto* cease to be in good standing and lose all his privileges of membership. Any member who falls in arrears for a full year (i.e. has not cleared his dues by December 31st) needs to re-apply for his membership, as well as pay the arrears from previous years. Thirty days after payment of all arrears due from him, such member shall automatically revert to the status of a member in good standing.
- 5.3 A member who has resigned and wishes to renew his membership shall be required to pay up all arrears of dues, if any that he was liable to pay on the day of his written resignation.
- 5.4 The Executive Committee may in its own discretion waive payment of any portion of the arrears of dues from any member who, having ceased to be in good standing, requests to be reinstated in good standing with waiver of arrears of dues.

ARTICLE 6: EXECUTIVE COMMITTEE

- 6.1 The affairs of the Association shall be managed by an Executive Committee. The Executive Committee of the Association shall consist of the following office bearers, who shall be elected for a period of two years by the members in good standing of the Association from among themselves at every second Annual General Body Meeting:
- (1) President
 - (2) Secretary
 - (3) Treasurer
 - (4) Program Organizer
 - (5) Chair Lady
 - (6) Ex-President (or Councilor)
- 6.2 The ex-president shall have all the privileges and responsibilities of being on the elected Executive Committee. If the current president is re-elected or he is not willing to remain on the Executive Committee, then the newly elected Executive Committee shall appoint a member in good standing as a Councilor to fill this post.
- 6.3 No officer or Trustee of the Association shall receive any remuneration for his services to or for the Association.
- 6.4 No Officer or Trustee of the Association shall have the powers to borrow funds from any financial institution on behalf of the Association.
- 6.5 The Executive Committee shall meet at least four times in a year or as required by the majority of the Executive Committee.
- 6.6 The Executive Committee shall have the authority, without requiring prior consent of the General Body, to expend up to Fourteen Hundred Dollars (\$1400.00) from the general fund for unbudgeted sudden exigencies.
- 6.7 The Executive Committee shall appoint sub-committees either at its own discretion or when recommended to do so by the General Body with such terms of references as it deem appropriate and such sub-committees are considered dissolved after the end of their term or at the time of election of the Executive Committee whichever comes first.
- 6.8 The following responsibilities shall be assigned to various elected office bearers and must be exercised in accordance with the objectives of the Association.
- (a) The **PRESIDENT** shall be the chief executive and administrative officer of the Association. He shall be responsible for the efficient

Conduct of the affairs of the Association and represent the Association in matters related to its activities, without restricting the generality of the aforesaid, the President shall specifically be responsible for:
 - (i) Presiding all meetings of members of the Association and of the Executive Committee when present;

- (ii) The general management and supervision of the affairs and operations of the Association;
 - (iii) Ensuring that the Constitution and By-Laws of the Association are kept up to date with all changes and amendments and those members are supplied with a copy thereof and all subsequent changes and amendments thereto; and
 - (iv) Maintaining liaison between the Executive Committee and the Trustees.
- (b) The **SECRETARY** shall directly assist the president in conducting the affairs of the Association. He shall also perform all the functions and duties of the president in the absence of the president. In addition, the secretary shall be responsible for:
- (i) Maintaining a record of the minutes of all General Body meetings and all meetings of the Executive Committee;
 - (ii) Keeping all the permanent records as needed of all the activities of the Association and of all the formal decisions taken by the Executive Committee;
 - (iii) Maintaining up to date files of all incoming and outgoing correspondences of the Association;
 - (iv) calling all the General Body and Executive Committee meetings under instructions from the president;
 - (v) Causing to be prepared all the annual reports and statements required under the Ontario Corporation Act and under the Federal and Provincial laws, including the tax laws;
 - (vi) submitting all required reports referred to above to the proper authorities after obtaining approval from the President; and
 - (vii) Maintaining a registry of members and updating it as required.
- (c) The **TREASURER** shall be responsible for:
- (i) Receiving and safeguarding all monies belonging to the Association and disbursing all monies as instructed by the Executive Committee;
 - (ii) Maintaining full and accurate account books for various funds, receipts, and disbursements;
 - (iii) Issuing official receipts for any dues, subscriptions, donations, and grants; (Tax Receipt will be sent by e-mail unless otherwise requested by the donor/member in writing or in person request)

- (iv) Causing to be prepared financial statements for the purposes of audit, the Income Tax Act, or as required by the Executive Committee from time to time;
 - (v) Presenting audited financial statements at the Annual General Body meetings;
 - (vi) presenting a budget for the ensuing fiscal year at the Annual General Body meeting;
 - (vii) Carrying out all activities assigned to him in consultation with the President;
 - (viii) Maintaining the financial records of the Imamia Madrasah which is affiliated with the Association and is operated independently by its own management committee; and
 - (ix) Maintaining liaison between the Executive Committee and the Imamia Madrasah Management Committee.
- (d) The **PROGRAM ORGANIZER** shall be responsible for:
- (i) Organizing programs, activities and other gatherings of the Association in consultation with the President and Resident Alim if present;
 - (ii) Making arrangements to hold events according to the Islamic calendar; and
 - (iii) Informing all the members about these events and arranging for the necessary facilities for holding the various programs of the Association.
- (e) The **CHAIR LADY** shall be responsible for:
- (i) The supervision of the day-to-day affairs and operations of the Ladies section of the Association;
 - (ii) Planning and organizing all functions of the female members of the Association; and
 - (iv) Maintaining liaison between the Executive Committee and the Ladies Committee.
- (f) The **EX-PRESIDENT (or COUNCILLOR)** shall be responsible for:
- (i) Advising on the affairs of the Association; and
 - (ii) Carrying out all duties duly assigned to him by the Executive Committee.

6.9 Any vacancy caused by departure of an Executive Committee member may, so long as a quorum of officers remains in office, be filled by the said officers from among the members in good standing, if they shall see fit to do so; otherwise such vacancy shall be filled at next General Body Meeting. If there is not a quorum of officers, the remaining officers shall forthwith call a meeting of the General Body to fill the vacancy.

- 6.10 The Chairlady shall select Assistant Chairlady and/or other designated non-elected non-voting volunteers to run day to day affairs of the Ladies section of the association, the number of positions solely based on Chairlady's vision and requirement at that point in time) committee members to be collectively called as the Ladies Committee for a two year term.
- 6.11 The Chairlady and her team shall devise its own rules and regulations for selecting the Ladies Committee members (excluding the elected Chairlady position) and for conducting its affairs and activities in accordance with Article 3 of the Constitution.
- 6.12 The Chairlady and her team shall be responsible in consultation with Executive Committee to organize all functions of the female members of the Association and shall have the powers to appoint sub-committees with such members thereof, from the female members of the Association, as the Ladies Committee may deem appropriate.

ARTICLE 7: EXECUTION OF DOCUMENTS AND EXPENDITURE OF FUNDS

- 7.1 Any document for its validity for and on behalf of the Association shall be jointly signed by the President and the Secretary, or in the absence of the Secretary, by the President and the Treasurer, except for those specified in Section 7.3 of this Article.
- 7.2 A copy of a resolution purporting to be signed by the president, or in his absence the Chairman, and Secretary of the Association shall be prima facie evidence thereof and of the fact that such a resolution was passed.
- 7.3 All cheques, bills of exchange or other order for the payment of money, notes or other evidence of indebtedness issued in the name of the Association shall be signed by the President and the Treasurer, or in the absence of the President, the Secretary and the Treasurer.
- 7.4 Unless otherwise advised by the donors, monies received for specific projects or activities shall be expended only for those specific projects or activities by the Executive Committee.
- 7.5 Monies received for unspecified projects or activities shall be expended for projects or activities as specified in the budget approved by the General Body.

ARTICLE 8: HOLDING THE GENERAL BODY MEETINGS AND ELECTION OF OFFICE BEARERS OF THE ASSOCIATION'S EXECUTIVE COMMITTEE

- 8.1 An Annual General Body meeting of the members shall be held once in twelve months (and not later than fourteen months from the date of the last Annual General Body meeting) for the purpose of:
- (a) Receiving the Executive Committee Report;
 - (b) receiving the Financial Statements of the Association for the present fiscal year;

- (c) receiving and approving budget for the ensuing fiscal year (in the event that a projection for the future budget is not available then the new budget shall conform to the format of the last years budget);
- (d) electing, at every second Annual General Body meeting, members of the Executive Committee for a period of two years among members in good standing and in attendance, and in good standing as per Article 4.6 and Article 16, at the time of election;
- (e) Approving the appointment of auditor(s) for the ensuing fiscal year;
- (f) electing (every four years) Trustees for a period of four years Among members in good standing and in attendance at the time of Election; and
- (g) transacting any other business specified in the agenda for the meeting.

8.2 The Executive Committee members shall retire at the second Annual General Body meeting mentioned above, but will be eligible for re-election. The members of the outgoing Executive Committee shall not contest for the same office for the fifth consecutive term. Moreover, both spouses of a given family are not eligible to contest, or serve, for an Executive Committee position at the same time. At all General Body meetings, each member present in person shall be entitled to one vote, provided he/she has paid his/her annual subscription for and up to the year then ended so that there are no arrears against the member at least thirty (30) days before the meeting. For running for the Executive Committee there is a requirement that the candidate must be a member in good standing for the past 2 years .

8.3 One third of the members in good standing shall constitute a quorum at all General Body meetings. If a quorum is not present at the scheduled time of the meeting, the meeting shall be adjourned and recalled after 15 minutes. The quorum at such adjourned meeting shall be the members present at the meeting. The agenda for the Annual General Body meeting shall be sent to the members in good standing at least fourteen (14) days prior to the meeting.

8.4 An election commissioner shall be appointed by the Executive Committee at least two months before the election date and the President shall provide the election commissioner with:

- (a) an official letter of appointment with specific dates for the election, sending the invitation letters to members for nominations, receiving the nominations, and submitting the nominations received to the Executive Committee;
- (b) an official list of all members of the Association with clear indication of those members who are not in good standing at that time;
- (c) A standard invitation letter from the election commissioner to the members for the purposes specified in section (a) above;

- (d) A standard nomination form to be sent along with the invitation letter;
- (e) A budget for the expenditure related to activities specified in section (a) above; and
- (f) The place and time reserved for holding the elections.

The election commissioner shall not be eligible for any office at that General Body meeting and shall be the chairman for that part of the General Body meeting which deals with the elections. The election commissioner shall invite, receive and scrutinize the nominations in writing and submit such nominations with his/her comments on their acceptability to the President of the Association at least 21 days before the election date so as to allow the acceptable nominations to be included in the agenda for the General Body meeting. Nominations shall be received and accepted by the election commissioner if they are made by another member in good standing and supported by one other member in good standing. All nominations have to be endorsed by the nominated candidate himself/herself. Nominations conforming to this can also be made from the floor at the General Body meeting provided that no written nominations were received by the election commissioner. The same process shall be used for the election of Trustees of the Association.

- 8.5 Members in good standing shall cast their votes during the time, at the place and in the manner specified by the election commissioner. Only members physically present at the AGBM shall be eligible to vote.
- 8.6 A member shall be declared elected if the number of votes cast in his/her favor is at least one more than the number cast in favor of any other candidate nominated for the same office. In case of tie between two or more candidates, the election commissioner, if member in good standing shall have the deciding vote, in addition to his/her own vote as a member. All the documents pertaining to the election shall be handed over to the newly elected Executive Committee for keeping the record.
- 8.7 Should there be no nominations for an office in the Executive Committee at the time of election, the previous incumbent who has just retired, will be considered elected, if willing to serve, regardless of the number of consecutive terms already served.
- 8.8 A member wishing to submit an agenda item for discussion or to move any resolution at a General Body meeting shall give a notice thereof in writing to the Secretary not less than seven days before the date of the meeting. In the absence of such notice, the chairman may, in his sole discretion permit a member to discuss an item or to move a resolution.
- 8.9 An extraordinary Special General Body Meeting (SGM) may be called within 48 hours by the Executive Committee or by at least one third of the members in good standing.

- 8.10 Notice and agenda of AGBM/SGM meeting shall be delivered by the Secretary in-person (preferred), or by e-mail, or via postal mail (in exceptional cases, where members are not tech-savvy) to the members in good standing.

ARTICLE 9: FISCAL YEAR

- 9.1 Unless otherwise resolved at a General Body meeting, the fiscal year of the Association shall terminate on the 31st day of December of each year. For the purpose of the annual subscription and Annual General Body meetings the “year” means the fiscal year commencing on January 1st each year.

ARTICLE 10: AUDITOR(S)

- 10.1 At the end of each fiscal year, or on the occasion of any change in the office of Treasurer or at such other times as the Executive Committee may determine, the books and accounts of the Association shall be audited by an auditor or auditors to be appointed by the Executive Committee with the approval of the members in good standing.
- 10.2 The Books and records of the Association may be inspected by any member of the Association in good standing at the Annual General Body meeting provided herein, or at any time upon giving a reasonable notice and arranging a time and place satisfactory to the officer or officers having charge of the same.

ARTICLE 11: TRUSTEES

- 11.1 Pursuant to the Ontario Religious Organizations lands Act, R.S.O. 1980, Chapter 448 and any amendments thereto which may be made from time to time, the immovable properties of the Association shall be vested in five trustees to be collectively designated as Trustees of the Association. The President and the Treasurer of the Association shall be the ex-officio Trustees of the Association. The remaining three Trustees shall be elected at a General Body meeting from amongst the members in good standing for a period of four years. With reference to Article 8.2, a member in good standing is eligible to contest and serve as trustee even if the other spouse is already contesting, or serving, an Executive Committee position at the same time.
- 11.2 The Trustees shall not exercise any of the powers conferred upon them by the Religious Organizations lands Act until they are authorized to do so by a resolution of the Association duly passed at a General Body meeting. Any such powers shall be exercised strictly in conformity with and subject to any terms or conditions which may be included in the resolution.
- 11.3 Notwithstanding anything contained in the Religious Organizations lands Act, the property owned by the Association shall under no circumstances be used for any purpose which contravenes the Sharia of the Shia Ithna- Asheri Ja'fari faith as interpreted by the MARJA-E-TAQLID (the most learned scholar of the faith) followed by the majority of the members, nor shall the property be sold, leased, mortgaged or donated without a resolution passed at a General Body meeting attended by at least 75 percent majority. In the event that such a majority is not present, the meeting shall be adjourned and the

Executive Committee shall give two weeks written notice to members for a second meeting. If at second meeting such a majority is not present, the meeting shall be adjourned again and the Executive Committee shall upon two weeks' written notice call a third meeting. Those present at the third meeting shall form a quorum for the purpose of passing such a resolution. A majority of at least 75 percent of those attending the third meeting will continue to be required for the passing of such resolution.

11.4 The Trustees shall adopt their own rules of procedures in relation to the conduct of their meetings and shall keep a proper record thereof.

11.5 When requested in writing by the Executive Committee and accepted by the elected Trustees of the Association, the Trustees may undertake specific projects like community social welfare, conflict resolution, review of accounts of the Association, fund raising, and Imambargah maintenance/renovations, and provide reports to the Executive Committee or General Body as required.

ARTICLE 12: VACATING OFFICE

12.1 An elected officer or Trustee shall vacate his office if:

- (a) He ceases to be a member in good standing;
- (b) He is convicted of an offence involving moral turpitude or dishonesty;
- (c) He is assigned a bankrupt or has executions levied against him;
- (d) He tenders his resignation in writing to the Secretary or the Executive Committee of the Association;
- (e) He did not attend 75% of the Executive Committee meetings duly notified and held during a year; or
- (f) He is removed by a resolution of the members passed by a vote of not less than two-thirds of the members of the Association present.

ARTICLE 13: AMEDMENTS TO THE CONSTITUTION AND BY-LAWS

13.1 Any General Body meeting may amend, repeal, or re-enact the Constitution and By-Laws of the Association by a two-thirds vote of the members there present subject, however, to due notice to the members having been given as hereinafter set forth.

13.2 Notice of any proposed change or amendment to the Constitution or By-Laws shall be given in writing to the Secretary at least three week before the meeting at which such changes are to be voted upon and the Secretary shall include such notice in the notices calling the said meeting.

ARTICLE 14: DISSOLUTION OF THE ASSOCIATION

- 14.1 The Association may at any time be dissolved at a special meeting called for such purpose by the consent of 90 percent of the members in good standing testified by their signature to an instrument of dissolution and in such a case the net assets of the Association shall be handed over to one or more charitable institutions in Canada working for the aims and objectives similar to those of the Association. This decision has also to be made on the basis of majority vote in the Executive Committee.

ARTICLE 15: THE RULES OF PROCEDURE

- 15.1 The rules of procedure (order) set forth in Appendix A shall be used to conduct the proceedings of the Association.

ARTICLE 16: THE RULES OF MEMBERSHIP

- 16.1 The rules of membership set forth in Appendix B shall be followed by the Executive Committee to approve an application for membership of the Association.

APPENDIX A: RULES OF PROCEDURES (ORDER)

1. At all meetings the Chairman shall preserve order and decorum, and decide question of order and practice, stating the rules applicable.
2. The Chairman shall not vote on any motion at a General Meeting unless on an equal division, except in the election of officers.
3. Every member shall, previous to speaking, rise and address the Chairman.
4. When two or more members rise at the same time the Chairman shall decide who is to speak first.
5. When the Chairman is putting a question, no member shall speak or move about the meeting room.
6. No member, while speaking, shall be interrupted except upon a point of order.
7. When a member is called to order, he shall resume his seat until the question of order is decide; he may, however be permitted to explain.
8. No member shall use improper or obscene language; no speak beside the question in debate.
9. No member shall speak more than once on the same question, nor longer than 10 minutes, with the permission of the Chairman, except the mover who shall have the right to reply, after which the debate shall close.
10. A motion to adjourn shall always be in order, except when it was the next preceding motion.
11. A member may require the motion under discussion to be read for his information at any time during the debate, except when another member is speaking.
12. A motion may be withdrawn at any time before decision by permission of the meeting.
13. When a question is being debated, no motion shall be received, except to amend, postpone, to lay on the table the previous question or to adjourn.
14. On the call of 3 members, the "previous question" shall be put and, until decided, shall preclude all amendments or debates, and shall be submitted in the following words "shall the vote on the main question be now taken?"
15. All motions before being debated shall be read by the Secretary.
16. No motion to amend an amendment to an amendment shall be received.
17. Any member refusing to take his seat when ordered by the Chairman may be expelled by the Chairman for the remainder of the session.

APPENDIX B: RULES OF MEMBERSHIP

1. An application for Membership prescribed by the Association shall be completed and signed by the applicant, and it should be submitted to the Association's Honorary Secretary along with annual subscription fee.
2. The application shall be proposed and seconded by members in good standing who have been members of the Association for at least two consecutive years immediately preceding the date of the application.
3. Documentary evidence may be required, where necessary to show the applicant's previous membership in good standing with a Shia Ithna-Asheri (Ja'fari) Organization.
4. Notwithstanding the above, an application shall be accepted where there are no means available to obtain documentary proof, provided the proposing and seconding members certify that the applicant has satisfied all the requirements.
5. The decision of the Executive Committee shall be delivered within four weeks of receiving the application. However, should the Executive Committee require more time to make enquires, then the applicant shall be informed of the same and a decision shall be rendered within six weeks of the commencement of the inquiry. Depositing by the Association of the monies received with the application shall not be construed as acceptance of the application.
6. Full-time students shall provide documentary proof of their status to qualify for the reduced membership fees.
7. Memberships are given to Shia Ithna Asheri Muslims (Twelver) only with the exception of giving family membership to those families where at least one spouse is a Shia and a member of our community and the other spouse is a Muslim other than Shia Ithna Asheri.