

**IN THE NAME OF ALLAH, MOST GRACIOUS, MOST MERCIFUL**

**CONSTITUTION OF THE ISLAMIC SOCIETY OF GOLD COAST INC.**

**Rule 1 NAME**

- 1.1 The name of the incorporated association shall be "ISLAMIC SOCIETY OF GOLD COAST INCORPORATED" (in these rules called "the Society").

**Rule 2 PREAMBLE**

- 2.1 This Constitution is inspired by the Holy Qur'an and Sunnah. Those persons fortunate enough to uphold it aspire to the highest conduct and thought. Their principles and guidelines, written or otherwise, are ennobled with morality and charity and imbued with their faith. In the words of the Holy Qur'an: "They believe in Allah and the Last Day and enjoin right conduct and forbid indecency and vie with one another in good works. They are of the righteous". They pledge that there shall be no preference for, or prejudice against any particular sect, nationality, colour or race and their source of strength is given in the Holy Qur'an: "And hold fast, all of you together, to the cable of Allah and do not separate."

**Rule 3 INTERPRETATIONS**

- 3.1 In this Constitution, and in any Rules, Resolutions, By-Laws made, resolved or enacted hereunder before or after the date of the adoption of this Constitution, the following words and expressions shall have the meaning hereby assigned to them respectively unless there is something in the subject or context inconsistent with such meaning or unless it is therein otherwise expressly provided:
- i. "Constitution" shall mean the Constitution of the Islamic' Society of Gold Coast Inc.;
  - ii. "Muslim" shall mean a person who believes in Islam, declares himself/herself to be a Muslim and has declared the Kalima Shahada;
  - iii. "Islam" shall mean that Faith as enunciated in the Holy Qur'an and Hadith;
  - iv. "Society shall mean the Islamic Society of Gold Coast as incorporated under the Associations Incorporations Act 1981;
  - v. "Member" shall mean Life, or Financial Member of the Society whose name is entered in the Register of Members;
  - vi. "Rules" shall mean the rules of the Society, which are in force from time to time;
  - vii. Except to the extent that such interpretation shall be excluded by or be repugnant to the context, words importing the singular or plural number shall be deemed to include plural and singular number respectively and words importing the masculine gender shall be deemed to include the feminine gender and vice-versa.

#### Rule 4 OBJECTS

Subject to the limitations of its resources, the Qur'an, Sunnah and Laws of Australia, the objects and purpose of the Society shall be:

- 4.1 To strive for the preservation and propagation of the religion of Islam as laid down in the Holy Qur'an and Sunnah;
- 4.2 To strive for the unity of and cooperation between Muslims at all times;
- 4.3 To promote better understanding and goodwill between Muslims and all other communities notwithstanding their religious beliefs;
- 4.4 To organise and celebrate the recognized Islamic prayers, festivals and social functions in accordance with Islamic teachings;
- 4.5 To carry out and propagate religious teaching, educational, social, civic, charitable, literary, research, athletic and other Islamic related activities for the benefit and advancement of its members;
- 4.6 To receive, collect or raise money for the purpose of Zakat and Fitrah and to distribute these to the less fortunate and destitute;
- 4.7 To organise and conduct Muslim funerals and marriages subject to the laws of the Islamic Shariah.

#### Rule 5 POWERS

The powers of the Society are:

- 5.1 To subscribe to become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part, similar to those of the Society, provided that the Society shall not subscribe to, or support with its funds, any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Society under or by virtue of rule 29.10;
- 5.2 In furtherance of the objects of the Society to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Society or persons frequenting the Society's premises, according to the law of Islamic Sharia;
- 5.3 To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with any of the objects of the Society: provided that, in case the Society shall take or hold any property which may be subject to any trusts, the Society shall only deal with the same in such manner as is allowed by law, having regard to such trusts;

- 5.4 To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Society; to obtain from any such Government or Authority, any rights, privileges and concessions which the Society may think it is desirable to obtain; and to carry out, exercise and comply with such arrangements, rights, privileges and concessions;
- 5.5 To appoint, employ, remove or suspend such managers, clerks, workmen and other persons as may be necessary or convenient for the purposes of the Society at such remuneration as the Management Committee for the time being deems fit;
- 5.6 To remunerate any person or body corporate for services rendered and, whether by brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, or other securities of the incorporated Society or promotion of the incorporated Society or in the furtherance of its objects according to Islamic Sharia;
- 5.7 To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Society's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
- 5.8 To invest and deal with the money of the Society not immediately required in such manner as from time to time be thought fit;
- 5.9 To take, or otherwise acquire, and hold shares, or other securities of any company or body corporate.
- 5.10 To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
- 5.11 In furtherance of the objects of the Society to acquire, sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with the property and rights of the Society, with the exception that the existing property at Lots 1 & 2 Allied Drive Arundel shall not be sold or mortgaged;
- 5.12 To take or hold mortgages, liens, or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Society's property of whatsoever kind sold by the Society, or any money due to the Society from purchasers and others;
- 5.13 To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Society but subject always to the proviso in sub-rule 5.4;
- 5.14 To take such steps by personal or written appeals, public meetings or otherwise, as may from time be deemed expedient for the purpose of procuring contributions to the funds of the Society, in the shape of donations, annual subscriptions or otherwise;

- 5.15 To print and publish any newspapers, periodicals, books or leaflets that the Society may think desirable for the promotion of its objects;
- 5.16 In furtherance of the objects of the Society to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Society and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Society under or by virtue of rule 29.10;
- 5.17 In furtherance of the objects of the Society to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Society is authorised to amalgamate;
- 5.18 In furtherance of the objects of the Society to transfer all or any part of the property, assets, liabilities and engagements of the Society to any one or more of the incorporated associations with which the Society is authorised to amalgamate;
- 5.19 To make donations for patriotic, charitable or community purposes;
- 5.20 To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged provided that such action is not in conflict with the members' conscience as Muslims;
- 5.21 To do all such other things as are incidental or conducive to the attainments of the objects and the exercise of the powers of the Society.

#### Rule 6 MEMBERSHIP OF THE SOCIETY

The following persons shall be eligible for membership in the Society upon payment of the prescribed membership fees:

- 6.1 A Muslim who has attained the age of eighteen (18) years, and
  - 6.1.1 Resides within the Gold Coast region, and is a permanent Australian resident, however, a Muslim who resides outside the boundaries of the Gold Coast but in a region sharing common boundaries with the City of Gold Coast, may be granted membership of the Society, at the discretion of the Management Committee by a two third (2/3) majority approval;
- 6.2 The numbers of the members of the Society shall be unlimited;
- 6.3 Membership shall not be transferable;
- 6.4 Every application for membership of the Society shall be proposed by one member and seconded by another member of the Society;

- 6.5 The application for membership shall be made in writing, signed by the applicant and the applicant's proposer and seconder and shall be in such form as the Management Committee from time to time prescribes;
- 6.6 Membership shall be valid until the end of the financial year in which membership fees were paid;
- 6.7 Membership shall be renewed (subject to Rule 10.2), upon payment of the prescribed fee.

#### Rule 7 CLASSES OF MEMBERSHIP

Membership of the Society shall consist of the following classes of members:

##### 7.1 Ordinary Financial Members

- 7.1.1 Ordinary Financial Members shall have full rights and privileges of the Society, including the right to a voice and a vote at a general meeting of the Society, provided *they* have been members for at least six months prior to the holding of a general meeting;
- 7.1.2 Ordinary Financial Members shall pay annual membership fees and other dues in accordance with the provisions of the by-laws of the Society;
- 7.1.3 Ordinary Financial Members shall be eligible for membership of the Management Committee of the Society (Subject to Rules 9 and 10);

##### 7.2 Life Members

- 7.2.1 Life Members shall be those members who have been granted the status of Life Membership by the Management Committee in recognition of outstanding service to the Society over a prolonged period. Such members shall be exempt from the requirement to pay annual Membership fees and shall otherwise have all the entitlements of and be bound by the Rules pertaining to Ordinary Members.

#### Rule 8 MEMBERSHIP FEES

- 8.1 The membership fees for membership shall be such sum as the members shall, from time to time at any general meeting, so determine;
- 8.2 The membership fees for membership shall be payable at such time and in such manner as the Management Committee shall, from time to time, determine.

## Rule 9 ADMISSION AND REJECTION OF MEMBERS

- 9.1 At the next meeting of the Management Committee, after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant;
- 9.2 Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered, shall be accepted as a member to the class of membership applied for;
- 9.3 Upon the acceptance or rejection of an application for any class of membership, the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

## Rule 10 TERMINATION OF MEMBERSHIP

- 10.1 A member may resign from the Society at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date;
- 10.2 If a member -
  - i. Fails to comply with any of the provisions of these Rules; or
  - ii. Has membership fees in arrears for a period of two months or more; or
  - iii. Conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Society and Islam; or
  - iv. Ceases to become a permanent resident of Australia; or
  - v. Declares himself to be an apostate;

Then the Management Committee shall consider whether his membership shall be terminated;

- 10.3 The member concerned shall be given a full and fair opportunity of presenting his case and, if the management Committee resolves to terminate his membership, it shall instruct the Secretary to advise the member in writing accordingly.

## Rule 11 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 11.1 A person whose application for membership has been rejected or whose membership has been terminated may, within one month of receiving written notification thereof, lodge with the Secretary written notice of his intention to appeal against the decision of the Management Committee;
- 11.2 Upon receipt of a notification of intention to appeal against rejection or termination of membership, the Secretary shall refer such appeal to a tribunal appointed by agreement between the member and the Management Committee, whose decision shall be final and binding;
- 11.3 Where a person whose application is rejected, does not appeal against the decision of the Management Committee within the time prescribed by the Rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee;
- 11.4 A member so rejected or terminated from the membership of the Society may be eligible for re-admission at the discretion of the Management Committee but not within 12 months of such rejection or termination.

## Rule 12 REGISTER OF MEMBERS

- 12.1 The Management Committee shall cause a Register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Society and the dates of their admission;
- 12.2 Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Management Committee or the members at any general meeting may from time to time require;
- 12.3 The Register shall be open for inspection at all reasonable times by any member who previously applies in writing to the Secretary for such inspection.

## Rule 13 MEMBERSHIP OF MANAGEMENT COMMITTEE

- 13.1 The Management Committee shall consist of:  
President  
Vice President Secretary  
Assistant Secretary Treasurer  
Assistant Treasurer plus  
Three elected Committee Members

and such number of other members as the members of the Society at any general meeting may from time to time elect or appoint;

- 13.2 The members of the Society shall, at the Annual General Meeting appoint one Internal Auditor who shall conduct a half yearly Audit of the financial records of the Society;

13.3 All Office Bearers shall be:

- i. Financial members of the Society and;
- ii. Have been members of good standing in the Society for at least two consecutive years preceding the date of election;
- iii. Any financial member of the Islamic Society of Gold Coast Inc. who is an office bearer or committee member of any organization within the Gold Coast area with similar aims and objectives as the ISGC Inc. is not eligible for nomination concurrently as an office bearer or committee member;

13.4 Office Bearers elected under this Constitution shall remain in office until:

- i. Other office bearers duly elected have replaced them; or
- ii. They have ceased to be such office bearers by reason of death, resignation, disqualification or expulsion.

#### Rule 14 ELECTION OF OFFICE BEARERS

14.1 At the annual general meeting of the Society, all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election;

14.2 The election of officers and other members of the Management Committee shall take place in the following manner:

- i. Any two members of the Society shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee, subject to Rule 13;
- ii. The nomination, which shall be in writing and signed by the member and his proposer and seconder, shall be lodged with the Secretary at least twenty one days before the annual general meeting at which the election is to take place;
- iii. A list of the candidates' names in alphabetical order with the proposers' and seconders' names, shall be posted in a conspicuous place in the Islamic Centre or usual place of meeting of the Society for at least seven days immediately preceding the annual general meeting;
- iv. Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
- v. Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

## Rule 15 MANAGEMENT COMMITTEE RESIGNATIONS & TERMINATIONS

- 15.1 A member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary and such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date;
- 15.2 Any member of the Management Committee may be removed from office at a general meeting of the Society where that member shall be given opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such a general meeting;
- 15.3 Any member of the Management Committee who fails to attend three (3) consecutive meetings without reasonable excuse shall vacate his position.

## Rule 16 VACANCIES ON THE MANAGEMENT COMMITTEE

- 16.1 The Management Committee shall have power at any time to appoint any member of the Society to fill any casual vacancy on the Management Committee until the next annual general meeting;
- 16.2 The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Society, but for no other purpose.

## Rule 17 FUNCTIONS OF THE MANAGEMENT COMMITTEE

- 17.1 Except as otherwise provided by these Rules and subject to resolutions of the members of the Society carried at any general meeting, the Management Committee:
  - i. Shall have the general control and management of the administration of the affairs, property and funds of the Society and ;
  - ii. Shall have authority to interpret the meaning of these Rules and any matter relating to the Society on which these Rules are silent.
- 17.2 The Management Committee may exercise all the powers of the Society:
  - i. To borrow or raise or secure the payment of money in such manner as the members of the Society may think fit and secure the same of the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Society in any way, and to purchase, redeem or pay off any such securities provided it is in accordance with Islamic Sharia;
  - ii. To invest in such manner as the members of the Society may from time to time determine.

## Rule 18 MEETINGS OF THE MANAGEMENT COMMITTEE

- 18.1 The Management Committee shall meet at least once every calendar month to exercise its functions;
- 18.2 A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by not less than one-third of the members of the Management Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat;
- 18.3 Not less than fourteen days notice shall be given by the Secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat;
- 18.4 At every meeting of the Management Committee, a simple majority of a number equal to the number of members elected and/or appointed to the Management Committee as at the close of the last general meeting of the members, shall constitute a quorum;
- 18.5 Subject as previously provided in these Rules, the Management Committee may meet together and regulate its proceedings as it thinks fit: provided that questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be decided by the casting vote of the President;
- 18.6 A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Society in which he is interested, or any matter arising thereout, and if he does so vote, his vote shall not be counted;
- 18.7 The President shall preside as Chairman at every meeting of the Management Committee, or if there is no President, or if at any meeting he is not present within thirty minutes after the time appointed for holding the meeting, the Vice-President shall be Chairman or if the Vice-President is not present at the meeting, then the members may choose one of their number to be Chairman of the meeting;
- 18.8 If, within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. In any other case, it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.

## Rule 19 APPOINTMENT OF SUB-COMMITTEES

- 19.1 The Management Committee may delegate any of its powers to a sub-committee consisting of such members of the Society as the Management Committee thinks fit. Any sub-committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on it by the Management Committee;

- 19.2 A sub-committee may elect a Chairman of its meetings. If no such Chairman is elected, or if at any meeting the Chairman is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chairman of the meeting;
- 19.3 A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative;
- 19.4 Minutes shall be kept of the proceedings of any meetings of a sub-committee and shall be made available to the Management Committee.

#### Rule 20 INDEMNITY

- 20.1 The Management Committee shall not be liable for any acts carried out in good faith;
- 20.2 All acts done by any meeting of the Management Committee or of a sub-committee or by any person acting as a member of the Management Committee are, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, as valid as if every such person had been duly appointed and was qualified to be a member of the Management Committee.

#### Rule 21 VALIDITY OF RESOLUTIONS

- 21.1 A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held. Any such resolutions may consist of several documents in like form, each one signed by one or more members of the Management Committee.

#### Rule 22 GENERAL MEETINGS

- 22.1 The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Association, and at such place as the Management Committee may determine;
- 22.2 The annual general meeting shall be held within three months of the close of the financial year;

- 22.3 The business to be transacted at every annual general meeting shall be:
- i. The receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and any mortgages, charges and securities affecting the property of the Society for the preceding financial year;
  - ii. The receiving of the External Auditor's report upon the books and accounts for the preceding financial year;
  - iii. The election of the members of the Management Committee;
  - iv. The appointment of an Internal Auditor.

#### Rule 23 NOTICE OF GENERAL MEETINGS

- 23.1 The Secretary shall convene all general meetings of the Society by giving not less than 30 days notice of any such meeting to the members of the Society;
- 23.2 Notice of any meeting convened shall be given in writing and shall clearly state the nature of the business to be discussed thereat.

#### Rule 24 SPECIAL GENERAL MEETINGS

- 24.1 The Secretary shall convene a special general meeting:
- i. When directed to do so by the Management Committee; or
  - ii. On the requisition in writing signed by not less than one-third of the members presently on the Management Committee or not less than twenty five (25) ordinary members of the Society. Such requisition shall clearly state the reasons why such a special general meeting is being convened and the nature of the business to be transacted thereat.

#### Rule 25 GENERAL MEETINGS

- 25.1 A quorum shall be 25% of the members;
- 25.2 No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business;
- 25.3 If, within half an hour from the time appointed for the commencement of a general meeting, a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee of the Society, shall lapse. In any other case, it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and, if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum;

- 25.4 The Chairman may, with the consent of any meeting at which a quorum is present and shall if so directed by the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting;
- 25.5 Unless otherwise provided by these Rules, at every general meeting:
- 25.5.1 The President shall preside as Chairman, or if there is no President, or if he is not present within thirty minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be the Chairman or if the Vice-President is not present or is unwilling to act, then the members present shall elect one of their number to be Chairman of the meeting;
  - 25.5.2 The Chairman shall maintain order and conduct the meeting in a proper and orderly manner;
  - 25.5.3 Every question, matter or resolution shall be decided by a majority of votes of the members present;
  - 25.5.4 Every member present shall be entitled to one vote and, in the case of an equality of votes, the Chairman shall have a second or casting vote;
  - 25.5.5 Voting shall be by show of hands or a division of members, unless not less than one third of the members present demand a ballot. In which event there shall be a secret ballot. The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded;
  - 25.5.6 A member shall vote in person on a show of hands or shall have one vote in a secret ballot;
  - 25.5.7 The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be opened for inspection at all reasonable times by any financial member who previously applies to the Secretary in writing for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Management Committee meeting verifying their accuracy, Similarly, the minutes of every general meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Management Committee meeting verifying their accuracy.

## Rule 26 BY-LAWS

- 26.1 The Management Committee may from time to time make, amend or repeal by-laws. not inconsistent with these Rules, for the internal management of the Society and any bylaw may be set aside by a general meeting of members.

## Rule 27 ALTERATION OF RULES

- 27.1 Subject to the provisions of the "Associations Incorporation Act 1981", these Rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting: Provided that no such amendment, rescission or addition shall be valid unless the same shall have been previously submitted to and approved by the Under Secretary, Department of Justice, Brisbane.

## Rule 28 COMMON SEAL

- 28.1 The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the Secretary or by a second member of the Management Committee.

## Rule 29 FUNDS AND ACCOUNTS

- 29.1 In accordance with Islamic Sharia, funds collected on behalf of the Society shall be counted in the presence of one or more independent witnesses where practical and reasonable and a record of such events shall be maintained, bearing the signature of the collector and witnesses;
- 29.2 The funds of the Society shall be banked in the name of the Society in such bank as the Management Committee may from time to time direct;
- 29.3 Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Society and the particulars usually shown in books of a like nature;
- 29.4 All moneys shall be banked as soon as practicable after receipt thereof;
- 29.5 All amounts shall be paid by cheque signed by any two of the President, Secretary, Treasurer or other member authorised from time to time by the Management Committee;
- 29.6 Cheques shall be crossed "not negotiable" except those in payment of wages, allowances of petty cash recoupments etc. which may be open;
- 29.7 The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system;
- 29.8 All expenditure shall be approved or ratified at a Management Committee meeting;

- 29.9 As soon as practicable after the end of each financial year, the Treasurer shall cause to be prepared a statement containing particulars of:
- i. The income and expenditure for the financial year just ended; and
  - ii. The assets and liabilities and of all mortgages, charges and securities affecting the property of the Society at the close of the Year.
- 29.10 All such statements shall be examined by an External Auditor who shall present his report upon such audit to the Secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made;
- 29.11 The income and property of the Society whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst members of the Society provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Society or to any member of the Society or other person in return for any services actually rendered to the Society provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out-of-pocket expenses, money lent, reasonable and proper rent for premises demised or let to the Society.

#### Rule 30 DOCUMENTS

- 30.1 The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Society.

#### Rule 31 FINANCIAL YEAR

- 31.1 The financial year of the Society shall close on 30<sup>th</sup> of June. in each year.

#### Rule 32 DISTRIBUTION OF SURPLUS ASSETS

- 32.1 If the Society shall be wound up in accordance with the provisions of the "Associations Incorporations Act 1981", and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Society, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Society, and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Society under or by virtue of Rule 29.10, such institution or institutions to be determined by the members of the Society.