



In the name of Allah, most Gracious, most Merciful

The Constitution of

The Muslim Council of Scotland

Preamble

We, as members of the Muslim Council of Scotland,

Aspiring to be a community practising and promoting what is right, forbidding what is wrong, and believing in God almighty.

Conscious of the injunctions to Hold fast, all together, to the bond with Allah and be not divided and help one another to virtue and God-consciousness and do not help one another to sin and transgression.

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

Declaration of Intent

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

1 Name

The name of the organisation shall be "The Muslim Council of Scotland" hereinafter called the **MCS**.

2 Aims and Objectives

1. To promote cooperation, consensus and unity on Muslim affairs in Scotland.
2. To encourage and strengthen all existing efforts being made for the benefit of the Muslim community.
3. To work for a more enlightened appreciation of Islam and Muslims in the wider society.
4. To establish a position for the Muslim community within the Scottish society that is fair and based on due rights.
5. To work for the eradication of Islamophobia, disadvantages and forms of discrimination faced by Muslims.
6. To cooperate with other faith communities on matters of common interest.
7. To foster better community relations, amicable contacts with other faith communities and work for the good of society as a whole.

3 Principles of Association

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

3.1 Basis of affiliation

No organisation shall be eligible for membership of the MCS unless its own membership is restricted only to those who profess the Muslim faith and believe in the Quran as the true Word of God revealed to the Prophet Muhammad (peace be upon him) and that there is no prophet after him.

The organisation should either:

Have a Constitution or Standing Orders or Bye-laws (to be provided to the MCS) and have been operating for at least one year

or

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

All affiliate organisations shall abide by the following:

- **Conduct** Its delegates to the MCS will abide by the procedures and standing orders that govern the conduct of meetings and the affairs of the MCS.
- **Collective responsibility** It accepts the Constitution of the MCS and is able and willing to abide by its provisions; it will do its best to uphold and implement agreed policies.
- **Pledge of mutual respect and cooperation** It shall do its best to promote mutual respect and co-operation with other member organisations and use the framework of the MCS to resolve difficult issues with other member organisations.

3.2 Commitment to service

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

4 Structure

The structure of the MCS shall comprise:

1. A General Council (GC)
2. An Executive Board (EB)
3. Specialist Committees
4. A Board of Counsellors

4.1 The General Council GC

4.1.1 Composition

- (a) The GC shall be made up of delegates of Scottish Muslim bodies that subscribe to the Principles of Association and have paid their annual affiliation fees.
- (b) In the event of any such delegate resigning from or otherwise leaving a member body, he or she shall cease to be its delegate.
- (c) If a person is selected as a delegate of more than one member body, he or she can only vote for one body of his/her choice.

4.1.2 Functions

- (a) The GC shall be the highest policy-making and ruling body of the MCS.
- (b) The GC may adopt resolutions, amend the Constitution and, in general, exercise all powers necessary to promote the aims and purposes of the MCS.
- (c) The GC shall elect every two years eight individuals as national representatives.

4.1.3 Meetings

- (a) The GC shall be called into session as an Annual General Meeting once annually by the Convenor of the EB. It may also call other meetings.
- (b) An extraordinary meeting of the GC shall be convened by the Convenor at the request of at least one quarter of the member bodies or at least half of the elected members of the EB.
- (c) The Convenor shall provide all member bodies at least a six week notification of a GC meeting.
- (d) Member bodies shall notify the Convenor of the name of their appointed delegate and of the name of his or her alternative at least four weeks prior to a GC meeting.
- (e) The EB shall appoint a chairperson (or chairpersons) to officiate and conduct the sessions of the GC.
- (f) The quorum for GC meetings shall be one-third of the appointed delegates.
- (g) All ordinary resolutions shall be adopted by a simple majority of the delegates present and voting.
- (h) Special resolutions - those relating to constitutional amendments or the dissolution of the MCS or matters "of special importance" (decided as such by a simple

majority of the GC) - shall be adopted by two-thirds of the appointed delegates present and voting. Notice of any proposed constitutional amendment must be submitted to the convenor of the EB at least six weeks in advance of the GC meeting. The convenor will circulate the proposed amendment to all appointed delegates at least fourteen days before the GC meeting.

4.2 The Executive Board (EB)

4.2.1 Composition

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

4.2.2 Functions

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

4.2.3 Meetings

- (a) The EB shall meet at least once every three months.
- (b) Any member of the EB who misses two consecutive meetings of the Committee without reasonable cause may be disqualified from attending further meetings if the Committee passes a motion supported by at least two thirds of those present and voting declaring the member as disqualified. In the event of a member being disqualified, the member affected will have the right of appeal in accordance with

the appeals procedure set out in 4.2.6(b) below.

- (c) The quorum at meetings of the EB shall be six.
- (d) Wherever possible decisions of the EB shall be taken by consensus but where a resolution is put to the vote, the Convenor shall be entitled to a casting vote.
- (e) Matters defined by the EB as “of special importance” and those relating to extraordinary items of expenditure beyond a limit agreed by the EB shall require the approval of two-thirds of the EB members. All other matters are to be decided by a simple majority.

4.2.4 Office-bearers

- (a) The EB shall elect, from among its elected members, the following office bearers:
 - 1 the Convenor
 - 2 the Deputy Convenor
 - 3 the Treasurer
- (b) The Convenor, the Deputy Convenor and the Treasurer shall not serve the same office for more than two terms (i.e. four years) consecutively.
- (c) If the Convenor resigns or is impaired or otherwise fails to fulfil the assigned responsibilities, the Deputy Convenor shall act as Convenor or failing him, the Treasurer.
- (d) The Convenor shall convene regular meetings of Office Bearers for the efficient and proper functioning of the MCS and carrying out decisions of the EB.
- (e) The retiring Convenor shall be invited by the incoming Convenor to attend Office-Bearers’ meetings in an ex-officio capacity for one year.

4.2.5 Functions of office-bearers

(a) The Convenor shall

- 1. Be responsible for convening the GC, preparation of the necessary working papers and agenda and maintaining a record of proceedings and resolutions in a Minutes Book.
- 2. Direct the work of the EB in implementing the policies set by the GC.
- 3. Present a report of activities to the annual meeting of the GC.
- 4. Be the official spokesperson of the MCS.
- 5. Be responsible for maintaining a record of proceedings and resolutions of the EB in a Minutes Book

(b) The Deputy Convenor shall deputise for the Convenor in his or her absence. He will assist the Convenor in the performance of his duties.

(c) The other office bearers shall assist the Convenor in the performance of his duties. Their specific and individual roles and responsibilities shall be determined by the Convenor and in so doing, the Convenor shall keep the EB informed.

(d) The Treasurer shall

- 1. Keep proper accounts of the finances of the MCS and be responsible for the management of the financial affairs of the MCS.
- 2. Provide accounts for audit at least once a year by the auditors appointed by the annual meeting of the GC.

4.2.6 Suspension and removal

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

4.3 Specialist Committees

4.3.1 Appointment of Chairpersons

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

4.3.2 Membership

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

4.3.3 Functions

- (a) The functions of the Finance & General Purpose Committee shall be:
 - 1 To supervise the raising of funds, the management of any assets and the disbursement of funds for the MCS's work; to be responsible for keeping proper accounts of all the MCS's finances and for presenting annual audited accounts to the GC.
 - 2 To set up a Secretariat with paid staff where necessary to carry out the day to day functions of the MCS and ensure its efficient functioning.
 - 3 To consider application for membership and keep membership under review.
- (b) The functions of the Media Committee shall be:
 - 1 To develop and implement communications strategy reflecting the policies of the MCS.
 - 2 To monitor and interact with the media and inform the MCS on issues of interest.

- 3 To provide the necessary services to the EB in public relations.
 - 4 To enhance media skills of the affiliates.
- (c) The functions of the Mosques and Community Committee shall be:
- 1 To promote exchange of good practice examples, and to encourage and facilitate communication with and between mosques.
 - 2 Devise and implement capacity building programs for leaderships of communities and mosques.
 - 3 To promote good governance guidelines for mosques.
- (d) Parliamentary Committee shall
- 1 Connecting the Muslim community to the political and democratic process. Informing and influencing the policy agenda at a European, National and Regional Level.
 - 2 Represent the Muslim community on Scottish Executive and Parliament committees
 - 3 Follow up parliamentary proceedings especially on issues of interest to the Muslim community.
 - 4 Follow executive consultation and prepare responses on issues of interest to the Muslim community.
 - 5 Initiate petitions or proposals to the parliament on issues of interest to the Muslim community.
 - 6 Represent the Muslim community on the Faith and Civic groups.
 - 7 To monitor demographic, social and economic trends in the community in order to inform policy making and encourage good practice in community development.

4.3.4 Minutes Book

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

4.4 Board of Counsellors

4.4.1 Role

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

4.4.2 Composition

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

4.4.3 Meetings

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

5 Finance

5.1 General

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

5.2 Fees from Member Bodies

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

5.3 Donations and gifts

The MCS shall be competent to receive legacies or other gifts, to form or take over trust funds which in the opinion of the EB at the time may conveniently be administered by it, and to hold property. Such legacies, gifts and funds, subject to any acceptable conditions imposed by the Donor or Testator or the Trusts affecting the same.

6 Relationship with other Organisations

6.1 Relationship with UK Muslim Organisations

6.1.1 Relationship with the MCB

The MCS shall be affiliated to the Muslim Council of Britain.

6.1.2 Relationship with Other Organisations

The MCS may also seek to affiliate to other UK wide Muslim organisations by a special resolution of the GC as in 4.1.3 (h).

6.2 Relationship with non-participating Muslim bodies

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

6.3 Relationship with international Muslim bodies

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

7 Legal Status

The MCS shall be a company limited by guarantee

- (e) The MCS shall be a company limited by guarantee registered in Scotland.
- (f) All the assets of the MCS including any title of property shall vest in the limited company.
- (g) Members of the Executive Board shall be the Directors of the MCS Ltd, their liability will be limited to 1.00 pound.

8 Amendments to the Constitution and Standing Orders

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

9 Dissolution

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

10 Interpretation of the Constitution

The decision of the EB on the interpretation of any clause contained in this Constitution shall be final when the GC is not in session.