

# CONSTITUTION OF THE ISLAMIC COUNCIL OF VICTORIA



ISLAMIC COUNCIL OF VICTORIA

## **CONSTITUTION**

**OF**

## **THE ISLAMIC COUNCIL OF VICTORIA**

**AS AMENDED ON 27 September 2020**

# CONSTITUTION OF THE ISLAMIC COUNCIL OF VICTORIA



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# CONSTITUTION OF THE ISLAMIC COUNCIL OF VICTORIA

## 1. NAME

The name of the organisation shall be 'The Islamic Council of Victoria', hereinafter referred to as the 'ICV'.

## 2. PREAMBLE

The ICV seeks to uplift the position of Muslims in Australian society and to fulfil the aspirations of all Australian Muslims. The ICV will conduct its affairs in a transparent and Islamic manner according to the teachings of the Quran and the Sunnah of the Prophet (PBUH), relying on Almighty Allah for His blessings and guidance.

## 3. TYPE OF ORGANISATION

The ICV shall be a religious, humanitarian not-for-profit umbrella organisation dedicated to fulfilling its mission as set out in the Preamble and to achieving its objectives as set out in Subsection 6.1.

## 4. COMPOSITION

The ICV shall be composed of Islamic Societies, which meet the eligibility criteria as set out in Sections 9 and 10.

## 5. DEFINITIONS

In this Constitution:

- (i) 'The Act' means the Associations Incorporation Reform Act 2012 (Vic);
- (ii) 'AFIC' means the Australian Federation of Islamic Councils Inc., which is Australia's national Islamic organisation and of which the ICV is an integral founding member;
- (iii) ACNC means Australian Charities and Not-for-Profit Commission;
- (iv) 'Committee' means the Executive Committee of the ICV;
- (v) 'Day' means a calendar day;
- (vi) 'Executive Officers' means the President, Vice-President, Secretary and Treasurer;
- (vii) 'Executive Director' means the person employed and appointed by the ICV Executive Committee to oversee and implement the ICV policies and board directives;
- (viii) 'Federal Congress' means the annual Federal Congress of AFIC;
- (ix) 'Federal Council' means the Federal Council of AFIC;

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- (x) Financial member means a Member Society that has paid all subscriptions due;
- (xi) ‘General Manager’ means the person employed and appointed by the ICV Executive Committee to manage the day to day affairs of the ICV
- (xii) ‘General Meeting’ includes an Annual General Meeting and a Special General Meeting;
- (xiii) ‘Islam’ means the Faith as enunciated in the Quran and the Hadith;
- (xiv) ‘Islamic Society’ means any society, association or organisation that is registered in Victoria, whose members are Muslims, and had been established for serving the needs of the Muslim community. Qadiani, Ahmadi, Mirzai and Lahori societies are not deemed Islamic Societies;
- (xv) ‘Members Meeting’ means a meeting of the members of the ICV;
- (xvi) ‘Member Society’ means any society or organisation registered in Victoria that has been granted membership by the ICV;
- (xvii) ‘Regulations’ mean regulations under the Act;
- (xviii) ‘Register’ means the Register of Member Societies and Affiliate Members maintained by the Secretary of the ICV in accordance with the rules;
- (xix) ‘Rules’ mean the rules of the ICV, which are in force from time to time;
- (xx) ‘Secretariat’ means ICV administration staff
- (xxi) ‘Special Resolution’ means a resolution that shall require at least three-quarters of the members who are present and entitled to vote at a General Meeting to vote in favour of the resolution. For the purpose of this clause, members not physically present but who have opted to vote by proxy shall be deemed present. This shall include but not limited to, resolutions for amending the Constitution, changing the name or purposes of the ICV and for dissolution/winding up of the Organisation;
- (xxii) ‘State Council’ means a Council of Societies formed in each state or territory of Australia to represent the State Muslim Community;
- (xxiii) Words importing the masculine gender include the feminine gender and vice versa;
- (xxiv) Words importing the singular include the plural unless stated otherwise;
- (xxv) ‘Written notice’ means notice given in writing via regular mail, hand delivery, facsimile or email.

## 6. OBJECTIVES AND POWERS

### 6.1 Objectives

The objectives of the ICV shall be:

- (i) To promote a spirit of unity and provide a platform for solidarity among Muslims in Victoria through the ICV Member Societies and AFIC;
- (ii) To promote the unity and coordination of the affairs of the member Islamic Societies of Victoria and to cooperate with other Islamic Councils of Australia by:
  - (a) Affiliating with the Australian Federation of Islamic Councils (AFIC) as the Member State Islamic Council for Victoria and participating in the AFIC Federal Congress and the AFIC Federal Council in the decision-making process for the greater cause of the Muslim community in Australia;
  - (b) Affiliating with any State or National organisations that have similar goals and objectives as the ICV;
  - (c) Representing and making representations on behalf of Muslims and Islamic Societies in Victoria to the State Government of Victoria, the Commonwealth Government of Australia, organisations outside Australia and any other organisation or body in the State of Victoria;
  - (d) Directing and coordinating efforts for the raising of funds, donations, gifts or any other form of assistance, both within and outside Australia for its Member Societies and for the promotion of the objectives of ICV.
- (iii) To undertake all or any matters that are of common interest to Muslims that cannot be effectively undertaken by individual Member Societies—in particular, but without limiting the generality thereof, all matters relating to:
  - (a) Recognition of Islamic rituals and faith in Victoria;
  - (b) Dissemination of information on Islam;
  - (c) Rightful citizenship of Muslims;
  - (d) Social and religious betterment of Muslims generally;
  - (e) Arrangement and provision of assistance for Muslim students, overseas visitors, migrants and refugees;
  - (f) Development of programs and projects in the areas of employment, education, training, settlement and housing, and provision of information to address the needs of Muslims in Victoria;

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- (g) Promotion of all matters concerning the well-being of Muslims in Victoria, including human rights and fundamental freedoms and the maintenance of harmony and friendship in Victoria.
- (iv) To foster and promote social contact and cooperation among all Victorians.
- (v) To provide benevolent assistance to those in need for purposes of alleviating such needs. These would include but not limited to, relief from poverty, health issues, disability, destitution, suffering, misfortune, or helplessness.
- (vi) To create avenues for combined charitable and humanitarian efforts of Muslims and the Islamic Societies towards all people, irrespective of race, religion or language.
- (vii) To promote peace, understanding and good relations among all people in Victoria, Australia and globally.
- (viii) To build and sustain a Muslim community that is dynamic and responsive to changing needs and opportunities and that contributes to a society that respects and celebrates cultural diversity that is consistent with Islamic values.

## 6.2 Powers

In order to achieve the above objectives, the ICV shall have the following powers:

- (i) To establish funds for the functioning of the ICV through subscriptions, levies, appeals, functions, donations, grants and other means that the ICV deems appropriate;
- (ii) To establish special funds to respond to appeals that the ICV deems appropriate;
- (iii) To purchase, sell, mortgage, lease or otherwise deal in real and personal property of all kinds for the advancement of its objectives;
- (iv) To enter into or terminate contracts of employment or contracts of service and make remunerations where appropriate;
- (v) To enter into or terminate any contract or arrangement with any society, government agency, corporation or other body;
- (vi) To establish and manage trusts for the purpose of holding and safeguarding the capital assets of the ICV;
- (vii) To cooperate or affiliate with other like-minded bodies to achieve the objectives of the ICV;
- (viii) To amalgamate with or absorb any organisation with objectives substantially similar to those of the ICV;
- (ix) To establish committees and appoint persons from within or outside its Member



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Societies and to employ persons from within or outside its Member Societies for carrying out all of the objectives listed in Section 6;

- (x) To make by-laws, rules and regulations and other procedures for the due maintenance and functioning of the ICV and for regulating duties, control and conduct of persons in the employ or under the care or control of the ICV;
- (xi) To do all such other lawful things as may be incidental to or deemed to be conducive to the attainment of or execution of the objectives.

## 7. REGISTERED OFFICE

The registered office of ICV will be:

- (i) At Level 1, 372 Spencer Street, West Melbourne, Victoria, 3003; or
- (ii) In the event of a change, at the address determined by resolution of the Executive Committee.

## 8. MEMBERSHIP

There shall be two categories of membership:

- (i) General membership; and
- (ii) Affiliate membership.

## 9. GENERAL MEMBERSHIP

### 9.1 Eligibility Criteria for General Membership

- (i) General Membership of the ICV shall be open to any eligible Islamic Society registered in the State of Victoria. An eligible Islamic Society shall fulfil the following conditions:
  - (a) The Constitution of the applicant Islamic Society is registered under the Act or under similar legislation in the State of Victoria;
  - (b) The Constitution of the applicant Islamic Society is not inconsistent with the Constitution of the ICV;
  - (c) The organization is also registered with the Australian Charities and Not for Profit Commission (ACNC) as a charity;
  - (d) The applicant Islamic Society is not deemed sectarian, nationalist, racist or

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divisive;

- (e) The membership of the applicant Islamic Society is open to all, irrespective of race or nationality;
  - (f) The majority of the office bearers in the Islamic Society are Muslim.
- (ii) Subject to this Constitution, General Membership in the ICV shall be considered provided:
- (a) The applicant Islamic Society has a membership of at least one hundred members; or
  - (b) If the applicant Islamic Society has a membership of less than 100 members due to its regional and remote location, the ICV on being satisfied that the membership shortfall has a bearing on its location, may consider the application.

## 9.2 Application for General Membership

- (i) Application for General Membership shall be made in writing by completing the 'Application for Membership of the Islamic Council of Victoria' (**Appendix 1**). The application shall be signed by the President and the Secretary of the applicant Society and lodged with the Secretary of the ICV.
- (ii) The application for General Membership should be accompanied by the following documents:
  - (a) Copy of the duly registered Constitution of the applicant Society;
  - (b) Copy of the Certificate of Incorporation/Registration of the applicant Society;
  - (c) Copy of the Certificate of Registration as a Charity with ACNC;
  - (d) Copies of the recent audited financial statements, budget, annual report, minutes of the last Annual General Meeting of the applicant Society and other relevant documents that the ICV may request;
  - (e) A statutory declaration by the President of the applicant Society that the applicant Society has a membership of at least hundred members;
  - (f) In the event that the applicant Society qualifies under Subsection 9.1(ii)(b), a statutory declaration by the President of the applicant Society declaring the membership strength;
  - (g) A written undertaking by the applicant Society to abide by the Constitutions, rules and policies of the ICV;

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- (h) Islamic Societies and Associations shall be discouraged from adopting ethnic names. This will be taken into account when considering membership applications;
- (i) If the ICV has any reservations or wishes to stipulate any conditions regarding the applicant's Constitution or activities, the ICV must bring this to the notice of the applicant and set a reasonable period for the applicant to affect any alterations or changes to comply with the reservations or the stipulated conditions.
- (iii) As soon as practicable after the receipt of an Application for Membership, the Secretary of the ICV, on being satisfied that the applicant Society has fully met the eligibility criteria under Subsection 9.1 and furnished the required documentation according to Subsection 9.2, shall refer the application to the Executive Committee of the ICV for approval.
- (iv) If the ICV approves an application for membership, the Secretary of the ICV must, as soon as practicable:
  - (a) Notify the applicant Society in writing of the approval for membership; and
  - (b) Request the applicant Society makes payment within 28 days after receipt of the notification of the sum payable under this Constitution as the entrance fee and the first year's annual subscription.
  - (c) Notify AFIC of the membership.
- (v) The Secretary, within 28 days after receipt of the payments referred to in Subsection 9.2(iv)(b), must enter the name of the Member Society and the name of its President and Secretary in the Register of Members.
- (vi) Each Member Society is entitled to representation at General Meetings of the ICV as follows, and to voting rights as set out in Rule 27(i):
  - (a) Fewer than 200 financial members: one representative;
  - (b) More than 200 but fewer than 500 financial members: two representatives;
  - (c) More than 500 financial members: three representatives;
- (vii) A Register of Member Societies and Affiliate Members shall be kept and maintained by the ICV Secretariat and will show, in respect of each Member Society, the name and address, the date of commencement of the membership, the names of the current President and Secretary and the number of financial members of;
- (viii) An applicant for membership becomes a Member Society and is entitled to exercise the rights of membership when its name is entered in the Register of Member Societies and

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Affiliate Members;

- (ix) If the ICV rejects an application, the ICV Secretary must, as soon as practicable, notify the applicant in writing that the application has been rejected;
- (x) A right, privilege or obligation of an Organisation by reason of membership of the ICV:
  - (a) Cannot be transferred to another organisation; and
  - (b) Terminates upon the cessation of membership by whatever means.
- (xi) An annual subscription shall be paid by all Member Societies, as determined by the ICV from time to time;
- (xii) The annual subscription is payable in advance on or before 1 July in each year;
- (xiii) The responsibilities of Member Societies, upon admission, shall be:
  - (a) To abide by the rules and regulations of the ICV;
  - (b) To support the programs and projects and implement the policies of the ICV.

## **10. AFFILIATE MEMBERSHIP**

- (i) Application for Affiliate Membership shall be made in writing by completing the 'Application for Membership of the Islamic Council of Victoria' set out in Appendix 1.
- (ii) The ICV may admit Islamic organisations as Affiliate Members, provided they furnish the required documentation along with their application as per Subsection 9.2, and satisfy the eligibility criteria for membership under Subsection 9.1. However, the minimum membership requirement as set out in Subsection 9.1(ii)(a) and those relating to ACNC registration, and Subsections 9.1(i)(c) and 9.2(ii)(c) will not apply.
- (iii) Affiliate members shall not have voting rights and cannot nominate or second candidates for election as members of the Executive Committee. They shall enjoy and exercise all other rights and benefits accorded to full members of the ICV.

## **11. REGISTER OF MEMBERS**

A Register of Members shall be kept and maintained by the ICV Secretariat.

- (i) The Register of Members shall show in respect of each member:
  - (a) The name and address and the date of commencement of the membership;
  - (b) The names of the current President and Secretary; and

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- (c) The number of financial members.
- (ii) The Register of Members shall be made available for inspection free-of-charge to any Member Society upon request.
- (iii) A Member Society must inform the ICV Secretariat in writing of any changes in the Member Society's Executive Committee.

## 12. MANAGEMENT

- (i) The affairs of the ICV shall be managed by:
  - (a) An Executive Committee made up of members elected or appointed under Section 14 of the Constitution; and
  - (b) The General Meetings of the ICV, which shall be held as provided for in Rule 20(i).
- (ii) No current member of the Executive Committee shall be appointed to any salaried office of the ICV, nor shall any such person receive from the ICV any remuneration or other monetary benefit except by way of reimbursement of reasonable out-of-pocket expenses incurred on behalf of the ICV.
- (iii) A former member of the Executive Committee shall not be appointed to a paid position of the ICV unless a period of two years has lapsed since the former member ceased to be a member of the Executive Committee.
- (iv) In the event that a relative of a member of the Executive Committee or of a staff member or of a Consultant of the ICV applies for a paid position in the ICV, such Executive Committee member or staff member or Consultant shall declare a conflict of interest and shall not participate in the decision-making process relating to that appointment.

## 13. EXECUTIVE COMMITTEE

### 13.1 Composition of the Executive Committee

- (i) The Executive Committee shall consist of nine members, made up as follows:
  - (a) The President, Vice-President, Secretary, Treasurer and two members, each of whom shall be elected once every two years at the Annual General Meeting; and
  - (b) Up to three ordinary members, one of whom shall be a member of a Regional Member Society. These members shall be appointed by the incoming Executive Committee on the recommendation of the President.

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- (ii) In the event that the incumbent President resigns or is prevented from completing his term of office, the Vice President shall serve the President's remaining term of office.
- (iii) Except in the position of President, a vacancy in the Executive Committee shall be filled as follows:
  - (a) In the case of an elected member of the Executive Committee, by a person duly elected at a General Meeting of the ICV, and such person shall then hold office for the remaining unexpired term of that position; or
  - (b) In the case of an ordinary member of the Executive Committee appointed under Subsection 13.1(i)(b), by a person appointed by the Executive Committee, and such person shall then hold office for the remaining unexpired term of that position.

## **13.2 Eligibility for Election/Appointment to the Executive Committee**

- (i) In order for a person to be elected or appointed to the Executive Committee, the person must:
  - (a) Be a financial member of a Member Society of the ICV for a minimum of two years;
  - (b) The member society of the nominee must have been a member of the ICV for a minimum period of twelve (12) months prior to the time of nomination;
  - (c) Served as a member of the Executive/Management Committee of a Member Society or other Muslim organisations with similar purposes to ICV for at least one year;
  - (d) Not be in receipt of any direct emolument from the ICV or a Member Society;
  - (e) Have a record of active service to the Muslim community and be of good character;
  - (f) Be a citizen or permanent resident of Australia and not be an employee of a foreign government including diplomatic missions;
  - (g) Be a Muslim;
  - (h) Have the capacity and willingness to make a significant commitment of time and energy;
  - (i) Not hold office in any other organisation whose objectives are in conflict with those of the ICV.

## **14. ELECTION OF EXECUTIVE COMMITTEE MEMBERS**

The election of members to the vacant positions on the Executive Committee shall take place once every two years at the Annual General Meeting.

### **14.1 Returning Officer**

- (i) The Executive Director or General Manager of the ICV or his nominee will function as the Returning Officer at all times.
- (ii) At least four weeks prior to the Annual General Meeting, the Returning Officer will:
  - (a) Notify the membership of the vacant positions that will need to be filled;
  - (b) Invite nominations for the vacant positions on the Executive Committee.

### **14.2 Nominations**

- (i) Nominations of candidates for election as members of the Executive Committee must be:
  - (a) Made in writing on the prescribed nomination form, signed by the President or Secretary of two Member Societies and accompanied by the written consent of the candidate;
  - (b) The two member societies must have been members of the ICV for a minimum period of twelve (12) months at the time of nominations;
  - (c) Delivered to the Returning Officer not less than seven days before the date fixed for the Annual General Meeting.
- (ii) Within forty-eight hours after the close of nominations, the Returning Officer will release to the membership by email the names of the eligible candidates and the respective positions for which they are nominated.
- (iii) A candidate can be nominated for no more than one position on the Executive Committee.

### **14.3 Election Procedure**

- (i) The Returning Officer shall conduct the elections at the Annual General Meeting. At the conclusion of all other business listed on the agenda, the President shall declare that elections to vacant positions on the Executive Committee will take place. The President shall then vacate the chair and invite the Returning Officer to take the chair.
- (ii) The Returning Officer shall read out the names of the valid nominees for the vacant positions on the Executive Committee. The Returning Officer will also inform the members of any invalid nominations that he may have received and outline the reasons

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for their rejection.

- (iii) If the number of nominations received:
  - (a) Equals the number of vacancies to be filled, the nominated candidates will be declared as elected to the respective positions for which they were nominated.
  - (b) Is insufficient to fill all the listed vacancies, the nominated candidates will be declared as elected to the respective positions for which they were nominated. The Returning Officer will then call for further nominations from the floor, check for eligibility per Subsection 13.2 and declare the eligible nominees as duly elected to fill the shortfall.
  - (c) Exceeds the number of vacancies to be filled, the Returning Officer will officially close nominations. The Returning Officer will then proceed to conduct the voting by secret ballot in accordance with the rules.
- (iv) Voting shall be by secret ballot using the prescribed form provided. Only eligible members with voting rights in accordance with Subsection 9.2 of this Constitution are entitled to vote. Voting by proxy is permitted after due completion of the 'Form of Appointment of Proxy for Elections' (**Appendix 4**).
- (v) If a ballot is required for election to a position(s), the Returning Officer must appoint at least two financial members of the ICV to act as counters.
- (vi) The Returning Officer will ensure procedural fairness during the voting and accurate counting of the votes.
- (vii) Once voting has concluded, the Returning Officer will declare the winners. In the event of a tie, a revote will take place and if it still ends in a tie, the incoming President will have a casting vote

## 15. TERMS OF OFFICE OF EXECUTIVE COMMITTEE MEMBERS

- (i) The terms of office of the members of the Executive Committee shall be governed by the following rules:
  - (a) Elected members of the Executive Committee shall hold office for a period of two years and shall be eligible for re-election;
  - (b) No elected member shall remain in the same office for more than two consecutive terms;
  - (c) The term of office for appointed members under Subsection 13.1(i)(b) shall terminate at the close of the first Annual General Meeting after such appointment;



- (d) Any person elected or appointed as a member of the Executive Committee may thereafter hold or continue to hold an executive position in a Member Society with the approval of a General Meeting of the ICV.

## 16. FUNCTIONS OF THE EXECUTIVE COMMITTEE

- (i) The functions of the Executive Committee shall be:
  - (a) To manage the affairs and conduct the business of the ICV in accordance with its rules and objectives;
  - (b) To submit to General Meetings the relevant reports, returns and other information that the rules may require;
  - (c) To authorise expenditure and allocation of funds that are necessary for the conduct of the affairs of the ICV;
  - (d) To ensure that proper financial records are maintained with regard to all financial matters relating to the ICV;
  - (e) To enter into/terminate contracts of employment of persons as deemed necessary in the service of the ICV;
  - (f) To ensure that a three-year rolling Strategic Plan is in place that identifies the ICV's current and future priorities and core needs, as well as an Action Plan for its implementation;
  - (g) To establish Standing Committees and provide operational guidelines for specific activities as deemed necessary. The decision to establish a Standing Committee shall be minuted, detailing its purpose and scope and the timelines for its operations;
  - (h) To carry out specific duties as may be delegated by a General Meeting;
  - (i) To ensure that the Executive Committee meets once a month for a minimum of eight times in the year. Adequate notice of each meeting must be given to each member of the Committee before the date of any meeting. In exceptional circumstances, a meeting may be held at short notice.
- (ii) If a member of the Executive Committee is unable to be physically present at a Committee Meeting, he may participate in the meeting by the use of technology. If the Committee is required to take a vote on a particular matter, the Committee member who is participating via the use of technology shall be entitled to vote.
- (iii) On any question arising at an Executive Committee Meeting, each member of the Committee present at the meeting has one vote. A motion is carried if a majority of Committee members present at the meeting vote in favour of the motion. If votes are

divided equally on a question, the Chairperson of the meeting has a second or casting vote.

- (iv) Any Executive Committee members who have a material personal interest in a matter under consideration at a Committee Meeting must disclose the nature and extent of that interest to the Committee. The member must not be present while the matter is being considered at the meeting.

## 17. DUTIES OF OFFICERS

The powers and duties of Executive Officers shall be as follows.

- (i) The duties of the President shall include:
  - (a) Presiding at all meetings of the Executive Committee and all General Meetings at which he is present;
  - (b) Ensuring that all other members of the Executive Committee carry out their duties efficiently and to the best of their ability and at all times endeavour to further and advance the objectives of the ICV;
  - (c) Monitoring the progress on programs and functions assigned to the Standing Committees. This duty may be delegated to the Executive Director of the ICV;
  - (d) Representing the ICV in the wider community. This duty may be delegated to the Executive Director of the ICV;
  - (e) Setting the strategic directions for the ICV in consultation with the Executive Committee and stakeholders.
- (ii) The Vice-President shall assist the President in the execution of his duties. In the absence of the President, the Vice-President shall assume the role of President with all the powers of the President as per Section 17(i) and shall deputise for him in his absence.
- (iii) The Secretary, subject to the general direction of the Executive Committee, shall carry out the following:
  - (a) Keep true and accurate minutes of all meetings of the Executive Committee and of the General Meetings of the ICV;
  - (b) Provide ICV members, through the Secretariat access to the Register of Members, the minutes of General Meetings and official documents. This may be delegated to the Executive Director of the ICV, subject Rule 37(ii);
  - (c) Convene meetings and circulate notices of such meetings to ICV Members as stipulated in the rules;

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- (d) File any amendments to the ICV Constitution with Consumer Affairs Victoria. This may be delegated to the Executive Director of the ICV;
  - (e) Within one month after the Annual General Meeting, lodge with ACNC the ICV's year-end audited Financial Statements adopted at the Annual General Meeting. This may be delegated to the Executive Director of the ICV;
  - (f) Comply with other regulations that may be prescribed by Consumer Affairs Victoria and ACNC from time to time that would be applicable to the ICV. This may be delegated to the Executive Director of the ICV;
  - (g) Comply with ACNC notification and reporting obligations.
- (iv) The Treasurer, subject to the general direction and supervision of the Executive Committee will carry out the following:
- (a) Oversee all funds of the ICV. This may be delegated to the Executive Director of the ICV;
  - (b) Keep proper bank accounts and books of account for recording of all financial transactions and other relevant records, including an updated record of membership subscriptions. This may be delegated to the Executive Director of the ICV;
  - (c) Make disbursements on behalf of the ICV only as authorised by the Executive Committee or by the ICV at a General Meeting. This may be delegated to the Executive Director of the ICV;
  - (d) Be responsible for the timely preparation of the ICV's Annual Financial Statements for audit and adoption at the AGM. This may be delegated to the Executive Director of the ICV;
  - (e) Keep custody of all the financial records and relevant documents.
- (v) The other members of the Executive Committee may be assigned specific duties from time to time, as determined by the Executive Committee or a General Meeting of the ICV. These duties may be delegated to the Executive Director by the Executive Committee.

## 18. DECISION-MAKING PROCEDURES

The affairs of the ICV shall be carried out by:

- (i) The Executive Committee; and
- (ii) General Meetings, which shall include but not be limited to:

# CONSTITUTION OF THE ISLAMIC COUNCIL OF VICTORIA

- (a) Annual General Meetings; and
- (b) Special General Meetings.

These meetings shall be conducted in accordance with the procedures outlined in this Constitution. In the absence of a relevant procedure, the appropriate legislative provisions applicable in Victoria or generally accepted meeting rules shall apply.

## 19. EXECUTIVE COMMITTEE MEETINGS

- (i) The Executive Committee Meetings may be held at regular intervals at such place and times as the Executive Committee may determine and shall deal with the matters that fall within its purview as set in Section 16.
- (ii) Executive Committee Meetings shall not deal with matters assigned to General Meetings.
- (iii) Special General Meetings of the Executive Committee may be convened by the President or by any four members of the Executive Committee.
- (iv) Written notice of each Executive Committee Meeting other than a Special General Meeting under Section 19(iii) must be given to each member of the Executive Committee at least two days before the date of the meeting.
- (v) Written notice of at least two days must be given to members of the Executive Committee for any Special General Meeting specifying the general nature of the business to be conducted, and no other business may be conducted at such a meeting.
- (vi) Executive Committee meetings can also be conducted utilising appropriate video conferencing platforms and electronic voting portals in the event face to face meetings are not possible.
- (vii) The Secretary shall keep minutes of the resolutions and proceedings of each Executive Committee Meeting, together with a record of the names of persons present at the meetings.
- (viii) Any four members of the Executive Committee constitute a quorum for the conduct of business at a meeting of the Executive Committee.
- (ix) No business shall be conducted unless a quorum is present. If, within forty-five minutes after the time appointed time for the commencement of the Executive Committee Meeting, a quorum is not present:
  - (a) A Special General Meeting convened under Section 19(iii) lapses;
  - (b) A meeting convened under Section 19(i) shall stand adjourned until the same place at the same time on the same weekday of the following week.

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- (x) The Executive Committee may act, notwithstanding any vacancy on the Executive Committee, provided a quorum is present.
- (xi) At meetings of the Executive Committee:
  - (a) The President or, in the President's absence, the Vice-President presides; or
  - (b) If the President and the Vice-President are absent, or are unable to preside, the Executive Committee members present shall choose one of their numbers to preside.
- (xii) Questions arising at a meeting of the Executive Committee, or at a meeting of any Standing Committee appointed by the Executive Committee, shall be determined on a show of hands or, if a member of the Committee requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- (xiii) Each member present at an Executive Committee Meeting, or at a meeting of any Standing Committee appointed by the Executive Committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote. Voting by proxy at an Executive Committee Meeting or a Standing Committee Meeting is not permitted.

## 20. GENERAL MEETINGS

- (i) General Meetings of the ICV shall be called every three months or as decided at a General Meeting or by the Executive Committee from time to time.
- (ii) General Meetings of members shall govern the ICV.

## 21. SPECIAL GENERAL MEETINGS

- (i) A Special General Meeting may discuss and resolve matters arising under this Constitution that falls within its purview or any other urgent matters.
- (ii) The Secretary shall call a Special General Meeting of Member Societies to deal with emergencies:
  - (a) At the request of the Executive Committee;
  - (b) At the request of a General Meeting; or
  - (c) At the written request of at least six Member Societies.
- (iii) A request under Section 21(ii) must:
  - (a) State the object of the meeting; and

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- (b) Be signed by the respective representatives of the Member Societies requesting the meeting; and
- (c) Be sent to the address of the Secretary.
- (iv) Subject to Section 23 of this Constitution, a Special General Meeting shall be called within one month of a request under this Subsection, and at least twenty-one days' notice of such a meeting shall be given to all Member Societies.
- (v) Under exceptional or emergency circumstances that preclude the physical presence of Members at meetings, virtual meetings shall be conducted utilising appropriate video conferencing platforms and electronic voting portals. The ICV Secretariat shall provide the necessary guidelines to Member Societies to facilitate participation at such meetings.
- (vi) If the Executive Committee does not cause a Special General Meeting to be held not later than three months from the date of the request, the Member Societies making the request, or any Member Societies, may give notice of and convene a Special General Meeting to be held not later than three months after that date.
- (vii) If a Special General Meeting is convened by Member Societies in accordance with Section 21(vi), it should be convened in the same manner with the required notice as a meeting convened by the Executive Committee, and all reasonable expenses incurred by persons in convening the meeting must be refunded by the ICV to the persons incurring the expenses.
- (viii) Minutes of a Special General Meeting shall be circulated to all Member Societies a within one month from the date of the meeting.

## 22. ANNUAL GENERAL MEETING

- (i) The Annual General Meeting shall be held within four months after the conclusion of the financial year.
- (ii) The Executive Committee shall determine the place, date and time of the Annual General Meeting.
- (iii) The Secretary shall give the Member Societies at least fourteen days' notice in writing of the Annual General Meeting, specifying the place, date and time of the meeting and the nature of the business to be dealt with.
- (iv) Under exceptional or emergency circumstances that preclude the physical presence of Members at meetings, virtual meetings shall be conducted utilising appropriate video conferencing platforms and electronic voting portals. The ICV Secretariat shall provide the necessary guidelines to Member Societies to facilitate participation at such meetings.

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- (v) The Annual General Meeting shall be vested with the power to carry out the following:
  - (a) Make, repeal, amend and/or add to these Rules subject to the provisions in Section 38;
  - (b) Confirm the minutes of the previous Annual General Meeting and of any General Meetings held since that meeting, and deal with matters arising there from;
  - (c) Receive and adopt reports from the Executive Committee on the activities and transactions of the ICV during the preceding financial year. Such reports would include, but not be limited to, the audited Financial Statements and the Annual Reports from the President outlining the key activities, the Treasurer outlining the financial highlights and the Chairpersons of the Standing Committees;
  - (d) Elect the members of the Executive Committee;
  - (e) Appoint a suitably qualified Auditor in accordance with the provisions in Section 35;
  - (f) Receive and consider the statement submitted by the ICV in accordance with Section 35(i)(a);
  - (g) Conduct any special business of which notice has been given in accordance with this Constitution.
- (vi) The minutes of the Annual General Meeting shall be circulated to the Member Societies within one month from the date of the meeting.

## **23. NOTICE OF GENERAL MEETINGS**

- (i) The Secretary must give each Member Society at least fourteen days' written notice of a General Meeting and at least twenty-one days' notice if a special resolution has been proposed or the General Meeting is a Special General Meeting.
- (ii) The written notice must state the date, time and place of the meeting and set out the business to be transacted.
- (iii) No business other than that set out in the written notice of the meeting may be conducted at the meeting.
- (iv) A member intending to bring any business before a meeting shall give written notice of the business to the Secretary, and the Secretary must include that business in the written notice of the next General Meeting.

## 24. QUORUM AT GENERAL MEETINGS

- (i) No item of business may be conducted at a General Meeting unless a quorum of Member Societies entitled to vote is present when the meeting is considering that item.
- (ii) The representatives of ten Member Societies present and entitled to vote at a General Meeting constitute a quorum for the conduct of the business of a General Meeting.
- (iii) If, within forty-five minutes after the appointed time for the commencement of a General Meeting, a quorum is not present:
  - (a) A meeting convened upon the request of Member Societies must be dissolved;
  - (b) The meeting shall stand adjourned until the same place at the same time on the same weekday of the following week or an alternate date, time and place as specified by the Chairperson at the time of the adjournment, written notice of which shall be given to Member Societies.
- (iv) If, at the adjourned meeting, the quorum is not present within forty-five minutes after the appointed time for the commencement of the meeting, the representatives of the Member Societies personally present (being the representatives of not less than eight Member Societies) shall constitute a quorum. No business shall be transacted at the adjourned meeting other than that listed on the agenda for the original meeting.

## 25. PRESIDING AT GENERAL MEETINGS

- (i) The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each General Meeting of the ICV.
- (ii) If the President and the Vice-President are absent from a General Meeting or are unable to preside, another member of the Executive Committee shall preside as Chairperson at the Meeting.
- (iii) If all the members of the Executive Committee are absent from a General Meeting or are unable to preside, the representatives of the Member Societies who are present at the meeting must select one of their number to preside as Chairperson.

## 26. ADJOURNMENT OF GENERAL MEETINGS

- (i) The Chairperson of a General Meeting or of an Executive Committee Meeting may, with the quorum that is present, adjourn the meeting prior to the completion of all business listed on the agenda. A meeting may be adjourned when there is insufficient time to deal with the business at hand or when the members require more time to consider an item of business.
- (ii) No business may be conducted at an adjourned General Meeting other than the



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unfinished business from the meeting that was adjourned.

- (iii) If a General Meeting is adjourned for fourteen days or more, notice of the adjourned meeting must be given in accordance with this Constitution.
- (iv) Except as provided in Section 24(ii), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

## 27. VOTING AT GENERAL MEETINGS

- (i) Upon any question arising at a General Meeting of the ICV, each representative of a Member Society will have voting rights
- (ii) All votes must be exercised personally or by proxy.
- (iii) Except as provided in this Constitution or in the Act, questions or resolutions arising at a General Meeting shall be decided by a simple majority of votes of the representatives of Member Societies entitled to vote, whether exercised in person or by proxy.
- (iv) In the event of an equality of votes on any question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (v) A Member Society's representative is not entitled to vote at a General Meeting unless all monies due and payable by that Member Society to the ICV have been paid. The member should also have been/be financially current for a period of at least one (1) month immediately prior to:
  - (a) the date of an AGM or closure of the financial year that precedes an AGM;
  - (b) the date of a SGM.

## 28. POLL AT GENERAL MEETINGS

If, at a meeting, a poll is demanded by the representatives of not less than five Member Societies to decide on any matter:

- (i) A poll must be taken at that meeting in such a manner as the Chairperson may direct, subject to Section 28(ii) and Section 28(iii);
- (ii) A poll:
  - (a) On the election of a Chairperson or on a question of an adjournment must be taken immediately; and
  - (b) On any other question, must be taken at such time before the close of the meeting as the Chairperson may direct;
- (iii) The resolution of the poll shall be deemed a resolution of the meeting on the matter in

question.

## 29. PROXIES

- (i) Each representative of a Member Society within the meaning of Section 5(xiv) is entitled to appoint another representative of a Member Society as a proxy by notice given to the Secretary no later than twenty-four hours before the time of the meeting in respect of which the proxy is appointed.
- (ii) The notice appointing the proxy must be for a General Meeting of the ICV and should be issued on the relevant proxy form as follows:
  - (a) In the case of elections, on the ‘Form of Appointment of Proxy for Elections’ (**Appendix 4**);
  - (b) For a meeting of the ICV convened under Subsection 32.3(ix), on the ‘Form of Appointment of Proxy for Special General Meeting’ (**Appendix 2**); or
  - (c) In any other case, on the ‘Form of Appointment of Proxy’ (**Appendix 3**).

## 30. REMOVAL OF OFFICERS

- (i) If upon reasonable inquiry the Executive Committee finds that an Executive Officer, a Committee Member or a Standing Committee Member has acted in serious breach of the ICV’s rules and objectives, including misappropriation of the ICV’s funds, then the Committee can call a Special General Meeting for the purpose of moving a resolution to remove the person from office provided that:
  - (a) The person concerned has been given at least twenty-eight days’ notice of the intention to move the resolution specifying the alleged offence; and
  - (b) The person concerned is provided with the opportunity to show cause why the resolution should not be moved; and
  - (c) The resolution by the Executive Committee to remove the person is ratified by a three-quarter majority of the members who are present and entitled to vote at the Special General Meeting called for that particular purpose, after which the removal will become effective.

## 31. VACATION OF OFFICE

- (i) The office of a member of the Executive Committee/Standing Committee becomes vacant if the member:
  - (a) Ceases to be a member of a Member Society he represents;

- (b) Is withdrawn in writing by one of the Member Societies who nominated him;
- (c) Passes away;
- (d) Is absent from five consecutive meetings without leave of the Executive Committee/Standing Committee;
- (e) Resigns his position by notice in writing given to the Secretary of the ICV;
- (f) Becomes a represented person within the meaning of the *Guardianship and Administration Act* (1986):
- (g) Is deemed bankrupt within the meaning of the *Bankruptcy Act 1966* (Commonwealth);
- (h) Is removed from office under Section 30;
- (i) Is found to be in serious breach of any of the eligibility criteria set out in Subsection 13.2.

## **32. CESSATION OF MEMBERSHIP**

### **32.1 Membership in the ICV Ceases if a Member Society:**

- (i) Resigns from the ICV;
- (ii) Is expelled/suspended in accordance with Subsection 32.3.

### **32.2 Resignation**

- (i) A Member Society may resign from the ICV by giving one month's written notice to the Secretary of its intention to do so.
- (ii) The resignation becomes effective on the expiry of the one-month period.

### **32.3 Expulsion/Suspension**

- (i) The Executive Committee may by resolution expel or suspend a Member Society:
  - (a) If the Member Society has absented itself from General Meetings of the ICV on five consecutive occasions without giving notice;
  - (b) If the Member Society fails to pay the annual subscription to the ICV for three consecutive years;
  - (c) If the Member Society's Constitution or its activities are detrimental to the

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interests of the ICV and the Member Society has failed to comply with all reasonable requests to rectify the situation.

- (d) If the Member Society fails to comply with the requirements set out in Sections 9 and 10.
- (ii) A resolution of the ICV under Subsection 32.3(i) does not take effect unless:
  - (a) At a meeting held in accordance with Subsection 32.3(iii), the Executive Committee confirms the resolution; and
  - (b) If the Member Society exercises a right of appeal to a Special General Meeting of the ICV under Subsection 32.3(ix), the Member Societies at that Special General Meeting confirm the resolution in accordance with this clause.
- (iii) A meeting of the Executive Committee to confirm or revoke a resolution passed under Subsection 32.3(vi) must be held not earlier than fourteen days and not later than twenty-eight days after notice has been given to the Member Society in accordance with Subsection 32.3(iv).
- (iv) Written notice for the meeting referred to in Subsection 32.3(iii) must be given as soon as practicable to the Member Society. The notice should:
  - (a) Set out the proposed resolution for suspension or expulsion and the grounds on which it is based;
  - (b) State that the Member Society's representative may address the Executive Committee at a meeting to be held not earlier than fourteen days and not later than twenty-eight days after the notice has been given to that Member Society;
  - (c) State the date, place and time of the meeting;
  - (d) Inform the Member Society that it may do one or both of the following:
    - i) Attend the meeting
    - ii) Give to the Executive Committee before the date of the meeting a written statement seeking the revocation of the resolution;
  - (e) Inform the Member Society that, in the event that the meeting confirms the resolution, the Member Society may, not later than forty-eight hours after that meeting give the Secretary a notice to the effect that it wishes to appeal to a Special General Meeting of the Members of the ICV against the resolution.
- (v) At the meeting of the Executive Committee to confirm or revoke a resolution passed under Subsection 32.3(i), the Committee must:
  - (a) Give the Member Society's representative or representatives an opportunity to

- be heard;
- (b) Give due consideration to any written statement submitted by the Member Society;
  - (c) Determine by resolution whether to confirm or revoke the resolution.
- (vi) If the Executive Committee confirms the resolution, the Member Society may, no later than forty-eight hours after that meeting, give the Secretary a notice to the effect that it wishes to appeal to a Special General Meeting of the Member Societies of the ICV against the resolution.
- (vii) On receipt of a notice under Subsection 32.3(vi), the Secretary must notify the Executive Committee and the Committee must convene a Special General Meeting to be held within thirty days but no earlier than twenty-one days after the date on which the Secretary received the notice.
- (viii) At the Special General Meeting convened under Subsection 32.3(vii):
- (a) No business other than the question of the Member Society's suspension or expulsion may be conducted
  - (b) The Member Society's representative must be given an opportunity to be heard;
  - (c) The Member Societies present must vote by secret ballot on the question of the suspension or expulsion.
- (ix) A resolution for suspension or expulsion of a Member Society is confirmed if, at the Special General Meeting, not less than two-thirds of the Member Societies vote in person or by proxy in favour of the resolution. In any other case, the resolution is defeated.

## **32.4 Updating the Register of Members**

- (i) The Secretary must record in the Register of Members the date on which the Member Society ceased to be a member, together with the reasons for same

## **33. GRIEVANCE PROCEDURES**

- (i) The grievance procedures set out in this Section applies to disputes under this Constitution between:
  - (a) A member and another member; or
  - (b) A member and the ICV.
- (ii) A member must not initiate a grievance procedure in relation to a matter that is the

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subject of a disciplinary inquiry.

- (iii) The parties to the dispute must meet and discuss the matter in dispute and, if possible, resolve the dispute amicably within fourteen days after the dispute has come to the attention of all of the parties.
- (iv) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within ten days, refer the dispute to mediation.
- (v) The mediator must be:
  - (a) A person chosen by agreement between the parties; or
  - (b) In the absence of agreement:
    - i) In the case of a dispute between a member and another member, a person appointed by the Executive Committee of the ICV; or
    - ii) In the case of a dispute between a member and the ICV, a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice & Regulation).
- (vi) A representative of a member of the ICV can be a mediator, but he cannot be a representative of a Member Society that is a party to the dispute. The mediator in any case must not be a person who has a personal interest in the dispute or who is biased in favour of or against any party.
- (vii) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (viii) The mediator, in conducting the mediation, must:
  - (a) Give the parties to the mediation process every opportunity to be heard; and
  - (b) Allow due consideration by all parties of any written statement submitted by any party; and
  - (c) Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (ix) The mediator must not determine the dispute.
- (x) If the mediation or arbitration process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## 34. FINANCIAL

- (i) The funds of the ICV shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Executive Committee determines.
- (ii) All funds received by the ICV shall be used only in the pursuit of its objectives and purposes.
- (iii) The financial year of the ICV shall be a period of twelve months from 1 July until 30 June the following year.
- (iv) The ICV is able to open and operate bank accounts that are deemed necessary for specific and approved purposes. Bank accounts shall be opened only on a resolution adopted by the Executive Committee. These bank accounts will be operated under specific delegations by authorised signatories as designated by the Executive Committee from time to time in accordance with Subsection 34(vi).
- (v) All moneys received by the ICV shall be deposited at the earliest possible date to the credit of a bank account of the ICV. Receipts for moneys received shall be issued promptly.
- (vi) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two signatories authorised from time to time by the Executive Committee of the ICV, at least one of whom shall be a member of the Committee.
- (vii) The Executive Committee may require the presentation of invoices and related documents for approval before payment.
- (viii) Full details of all such approval shall be duly recorded in the minutes of the relevant Committee meeting.
- (ix) The Executive Committee must ensure that a proper set of financial records detailing all financial matters relating to the functioning of the ICV is kept.
- (x) The Treasurer must prepare the year-end Annual Financial Statements in time for the audit and for presentation at the Annual General Meeting no later than two months after the end of the financial year. He shall also present quarterly financial reports to the Executive Committee.
- (xi) No provision contained in this Constitution permits the ICV to be carried on for the purposes of profit or financial gain to its members. The ICV's income, monies, property and assets shall not be used for the purpose of profit or financial gain to its members. However, this shall not prevent the payment of reasonable remuneration or reimbursement of reasonable out-of-pocket expenses incurred by any eligible member for services rendered on behalf of the ICV.

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## 35. AUDIT

- (i) A qualified Auditor shall be appointed by the ICV at each Annual General Meeting in accordance with the Act. The Auditor shall:
  - (a) Audit the Annual Financial Statements and furnish a report thereon to the Members of the ICV to be presented at the Annual General Meeting;
  - (b) Conduct audits at regular intervals during the financial year;
  - (c) Not be a Member of the Executive Committee, nor be closely related to either a Member of the Executive Committee or a Staff Member of the ICV;
  - (d) Not have any other conflict of interest.
- (ii) Audited financial reports shall be forwarded to all Member Societies.

## 36. COMMON SEAL

The Executive Director of the ICV shall provide for the safe custody of the seal, which shall only be used by the authority of the Executive Committee. Every instrument to which the seal is affixed shall be signed by the Executive Director and shall be counter signed by any one of the Executive Officers of the Committee.

## 37. CUSTODY AND ACCESS TO RECORDS

- (i) The Treasurer must keep in his custody or control all financial records and documents, while the Secretary must keep in his custody or control all other records, documents and securities of the ICV.
- (ii) All records, documents and securities referred to in Section 37(i) must be available for inspection at the ICV registered office by any Member Society free-of-charge upon request, provided at least seven days' notice is given by the Member Society making the request. However, the Executive Committee reserves the right to decline a request for inspection of records on grounds of confidentiality,

## 38. AMENDMENTS TO THE CONSTITUTION

- (i) This Constitution shall not be altered except in accordance with the Act and the provisions in Section 38.
- (ii) This Constitution may be amended by a special resolution of the Member Societies of the ICV either at a Special General Meeting or the Annual General Meeting, provided that no less than three weeks' notice is given, setting out the proposed amendments, to all Member Societies.



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- (iii) Amendments to the Constitution may be initiated by any Member Society or the Executive Committee of the ICV.
- (iv) Each Member Society entitled to vote at General Meetings must be given at least twenty-one days' notice of the proposed resolution(s), in the manner provided by the rules of the ICV. The notice must:
  - a) Specify the date, time and place of the General Meeting at which the resolution is to be proposed;
    - (a) State in full the proposed resolution and its intention and purpose.
- (v) Amendments will not be valid unless passed by three-quarters of the members present and entitled to vote in accordance with Subsection 9.2(vi).
- (vi) Voting shall be by secret ballot.
- (vii) At any General Meeting at which a special resolution is proposed, a declaration by the Chairperson that the resolution has been passed is conclusive proof of the fact.
- (viii) No change that will affect the nature of the ICV as stated in Section 3 of the rules may be made to the Constitution.
- (ix) All amendments shall be promptly filed with the relevant authorities in compliance with the current legislative requirements.

## **39. GENERAL**

- (i) The ICV shall be duly registered with an appropriate government authority in Victoria, and all properties of the ICV shall be vested in the incorporated body or a Trust established for that purpose by a General Meeting.
- (ii) The ICV shall ensure that no assets belonging to the ICV are transferred to government entities or non-government organisations within or outside Australia, except with the concurrence of its members and in compliance with the relevant State Regulations.

## **40. INDEMINITY**

- (i) All members of the Executive Committee, Standing Committees, Staff or appointees of the ICV shall be indemnified by the ICV for all losses and authorised expenses incurred by them in or about the discharge of their respective duties, except such as occur through their own wilful act or default.
- (ii) No member of the Executive Committee, Standing Committees, Staff or appointees of the ICV shall be liable for the acts, receipt, neglect, or default of any other member or appointee or for any loss or expense happening to the ICV unless the same happened

through their own wilful act or default.

## **41. DISSOLUTION AND WINDING UP**

- (i) The ICV shall continue to function as long as there are ten or more Member Societies.
- (ii) In the event of the membership of the ICV falling below the number stipulated in Section 41(i) above:
  - (a) A Special General Meeting of the ICV shall be convened to pass a resolution to dissolve the ICV.
  - (b) The resolution needs to be adopted by a three-quarter majority of the members present at the Special General Meeting and entitled to vote.
- (iii) Regardless of the number of member societies there are, the ICV maybe be dissolved if Member Societies adopt a special resolution at a SGM convened specifically for this purpose. The resolution needs to clearly set out the reasons/grounds for dissolution, and be adopted in accordance with Rule 41(ii)(b).
- (iv) The Special General Meeting will appoint a registered liquidator to wind up the affairs of the ICV as required by the Act.
- (v) Any surplus assets remaining after winding up or dissolution and after the discharge of all debts and liabilities shall be transferred to another non-profit Islamic organisation in Victoria with similar objectives.

# CONSTITUTION OF THE ISLAMIC COUNCIL OF VICTORIA

## APPENDIX 1

### APPLICATION FOR MEMBERSHIP OF THE ISLAMIC COUNCIL OF VICTORIA

We, ..... and .....  
(*President's name*) (Secretary's name)

Being respectively the President and Secretary of

..... of .....  
(*Islamic Society*) (Address)

Hereby apply for membership of the Islamic Council of Victoria.

In the event of our Society's admission as a member, we agree to be bound by the Constitution of the ICV, and we submit the required documents as per Subsection 9.2.

.....  
Signature of President  
Date

.....  
Signature of Secretary  
Date

#### Nomination of Applicant

I, ..... of  
(*Name*) (Position – President/Secretary)

....., a member of the ICV,  
(*Name of ICV Member Society*)

Nominate the applicant Member Society, for membership of the ICV.

.....  
Signature of President/Secretary  
Date

I, ..... of  
(*Name*) (Position – President/Secretary)

....., a member of the ICV,  
(*Name of ICV Member Society*)

Second the applicant Member Society, for membership of the ICV.

.....  
Signature of President/Secretary  
Date

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## APPENDIX 2

### FORM OF APPOINTMENT OF PROXY FOR SPECIAL GENERAL MEETING CONVENED UNDER SUBSECTION 1.1(i)

I .....  
(Name of Member Society representative)

Being a representative duly authorised by

.....  
(Name & address of Member Society)

Being a member of the Islamic Council of Victoria,

Appoint .....  
(Name of proxy holder)

Being a representative duly authorised by

.....  
(Name & address of proxy holder's Member Society)

being a member of the Islamic Council of Victoria, as my proxy to vote for me on my behalf at the appeal to the Special General Meeting of the Members of the Islamic Council Victoria convened under Subsection 1.1(i), to be held on

.....  
(Date of meeting)

In addition, at any adjournment of that meeting.

I authorise my proxy to vote on my behalf at their discretion in respect of the following resolution (insert details of resolution passed under Subsection 1.1(i)).

.....  
Signed  
Date

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## APPENDIX 3

### FORM OF APPOINTMENT OF PROXY (SUBSECTION 29(ii) (c))

I, .....

*(Name of Member Society representative)*

Being a representative duly authorised by

.....

*(Name & address of Member Society)*

Being a member of the Islamic Council of Victoria,

Appoint .....

*(Name of proxy holder)*

Being a representative duly authorised by

.....

*(Name & address of proxy holder's Member Society)*

Being a member of the Islamic Council of Victoria, as my proxy to vote for me on my behalf at the Annual/Special\* General Meeting of the Islamic Council of Victoria to be held on

.....

*(Date of meeting)*

In addition, at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against\* the following resolution (insert details of resolution).

.....  
Signed  
Date

\* Delete if not applicable

# CONSTITUTION OF THE ISLAMIC COUNCIL OF VICTORIA



# CONSTITUTION OF THE ISLAMIC COUNCIL OF VICTORIA

## APPENDIX 4

### FORM OF APPOINTMENT OF PROXY FOR ELECTIONS (SUBSECTION 14.3(iv))

I, .....

*(Name of Member Society representative)*

Being a representative duly authorised by

.....

*(Name & address of Member Society)*

Being a member of the Islamic Council of Victoria,

Appoint .....

*(Name of proxy holder)*

Being a representative duly authorised by

.....

*(Name & address of proxy holder's Member Society)*

Being a member of the Islamic Council of Victoria, as my proxy to vote for me on my behalf at the  
Annual/Special\* General Meeting to be held on

.....

*(Date of meeting)*

In addition, at any adjournment of that meeting.

My proxy is authorised to vote on behalf of my Society.

.....  
Signed  
Date

\* Delete if not applicable

# CONSTITUTION OF THE ISLAMIC COUNCIL OF VICTORIA

