



## **Hilm Constitution**

**Approved April 1, 2017**

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## **Preamble & Vision**

**Hilm** is a non-profit organization, which aims to provide educational and social services to meet the needs of both the Muslim and non-Muslim community in the greater Montreal region.

Building a community requires two important components: education and social support. **Hilm's** educational activities may include seminars, life skill training, children's weekend programs and learning circles. Social services may include distribution drives (food, clothing, etc.) and general volunteer support services for community members (needy, elderly, youth, etc.).

**Hilm's** roots are deeply enshrined in the Prophet Muhammad's (peace be upon him) message of love, peace and compassion towards humanity. With the focus of re-establishing a firm Islamic foundation for members of the Muslim community as well as to create fruitful links and dialogue with the Canadian population at large. Only together can we all live harmoniously striving for the same mutual goals in search of freedom, education and better opportunities.

**Article I Name**

In accordance with the “Application for Constitution as a Non-Profit Legal Person” registered with the *Registraire des entreprises du Québec*, “**Hilm**” is the name of the organization in both English and French. The *numéro d’entreprise du Québec* (NEQ#) is 1164007479.

**Article II Aims & Objectives**

The aims and objectives of **Hilm** shall be:

1. To develop and promote spiritual, educational, and social activities in accordance with the Quran and the Sunnah as understood by the majority of Muslim scholars.
2. To promote the ideals of unity, comradery, and cooperation.
3. Collaborate with other groups, both in the Muslim community and the broader Canadian community, to pursue common objectives.
4. To promote Islamic awareness and education with a spirit of goodwill and friendship between Muslims and followers of other faiths.
5. To support the development of a strong, vibrant, well-integrated Muslim community within Canada.

**Article III Membership**

1. All active **Hilm** members are considered to be part of the organization, eligible to participate in activities of the group and to provide input.
2. A full list of active members of **Hilm** will be updated on a yearly basis at the first general meeting of the calendar year.
3. Within **Hilm** an Executive Body will be formed. (*See Article IV for description of the Executive Body*)
4. **Membership Procedure**
  - i. Any member of **Hilm** can nominate someone new to join the group. Nomination suggestions must be made to the **Hilm** President who should consult with other members and then make the decision to approve or disapprove the membership of the nominated individual.
  - ii. Individuals who request to be part of **Hilm** without being referred by a current member can discuss their interest with the President. Upon discussion with the candidate and/or consultation with others, the President will determine whether or not the individual will be accepted as a **Hilm** member.
5. **Eligibility of Members**
  - i. Members must be Muslim.
  - ii. Members must be adult (18 years and older).
  - iii. Exceptionally, individuals who do not meet the above criteria can become members of **Hilm** with the majority approval of the membership.
6. **Membership Fees**
  - i. **Hilm** requests active members to contribute a \$20 annual fee towards the group’s general fund. The fee will be due at the first **Hilm** general meeting of the calendar year. Under exceptional circumstances, the annual fee can be waived for a member who is unable to make the payment.
  - ii. Voluntary donations are encouraged and can be made at any time of the year.

**7. Rights of Members**

- i. Attend all **Hilm** General Meetings.
- ii. Voice their opinions in meetings.
- iii. Nominate and vote for an individual for the position of the President and nominate new members to **Hilm**.
- iv. Be nominated for the position of President.
- v. Participate in committees within **Hilm**.

**8. Responsibilities of Members**

- i. Support the Aims and Objectives (as outlined in *Article II*) of **Hilm** and actively work to promote them.
- ii. Abide by the **Hilm** constitution.
- iii. Attend and participate in **Hilm** meetings.
- iv. Accept and carry out positions within the Executive Body (whether nominated, elected or appointed) except due to extenuating circumstances where they cannot accept or fulfill the role.
- v. Keep themselves updated on **Hilm** affairs.
- vi. Behave respectfully towards other **Hilm** members.
- vii. Respect the decisions of **Hilm**, the Executive Body, and the President.
- viii. Portray a good image of **Hilm**.
- ix. Fulfill any task assigned to them within the allotted time period. If, for whatever reason, the member is not able to fulfill their task, they must notify the immediate supervisor (Project Leader, President, etc.) immediately.
- x. Contribute the yearly membership fee of \$20.

**9. Participation of Non-Hilm Members**

- i. Any individual is permitted to attend or participate in a **Hilm** activity, unless the activity is explicitly restricted for a particular group; ex. men will not be permitted at a “women only” event.
- ii. Any individual is permitted to volunteer for a given **Hilm** event or activity, but this must be done with the approval of the specific **Hilm** member in charge of said event/activity. Being a volunteer at a **Hilm** event(s) does not make an individual a member of **Hilm**.

**Article IV The Executive Body**

1. Within **Hilm** an Executive Body will be formed.
2. The Executive Body shall consist of, but not be limited to, the following positions:
  - i. President
  - ii. Communications Officer
  - iii. Treasurer
  - iv. Secretary
3. At the discretion of the President, more executive positions may be defined.
4. Only the President shall be elected by the general **Hilm** membership via the procedure as defined in *Article VI*.
5. The President shall appoint the remaining Executive Body positions from amongst the general **Hilm** membership.
6. **Term Length.**

- i. The term of the President shall be no more than three (3) years, except under special circumstances.
- ii. The term of other Executive Body members shall be at the discretion of the President. These members may be replaced at any time by the President and may serve in their positions during the possible transition between Presidents.
- iii. The President may be elected to consecutive terms. Other members of the Executive Body may be re-appointed following the election of a President.

**7. Duties, Functions and Responsibilities of the Executive Body**

- i. **Hilm** President:
  - a. Shall be the officer of first rank and be responsible for the management of **Hilm** according to the framework of this constitution.
  - b. Shall ensure the overall vision and objectives of **Hilm** are advancing through its activities.
  - c. Shall preside over the general meetings of **Hilm** and/or Executive Body.
  - d. Shall appoint competent individuals to manage the various positions of the Executive Body.
  - e. Shall appoint any project committees to oversee activities under the **Hilm** banner.
  - f. Shall have the right to ask any member to leave the group if they are causing a disturbance during the meeting or revoke their membership. See *Article VII*.
  - g. Shall have the responsibility to take the consultation (*i.e. shura*) from the rest of the organization's membership, listen to their opinions, and proceed in the best interests of **Hilm** when decisions are required.
  - h. Shall have final say on any decision after the matter is discussed with the group and/or any other relevant individual(s) and gathers their opinions.
- ii. Communications Officer:
  - a. Shall be responsible to oversee the external communications of **Hilm**, specifically with regards to advertising events and maintaining **Hilm's** prime communications interface. This may include, but is not limited to, the managing of newsletter emails, Facebook, website, and any other communications outlets.
  - b. Shall execute their functions in a manner which is in line with **Hilm's** values and promoting a positive image of the group.
  - c. The Communications Officer will work with a team of members within **Hilm** to execute these various functions in a timely manner.
  - d. If need be, policies and procedures regarding specific communications dossiers will be established in conjunction with the President.
  - e. If communication is to be done with an external media outlet, then consultation with, at minimum, the other members of the Executive Body must be done before proceeding.
- iii. Treasurer:
  - a. Shall be the Chief Financial Officer (CFO) of **Hilm**.
  - b. Be responsible to administer the financial activities of **Hilm**.
  - c. Maintain and monitor the financial records of **Hilm**.
  - d. Prepare and submit periodic reports on the financial situation of **Hilm** when called upon.
  - e. Prepare budgets for approval of the group when necessary.

- f. In conjunction with the President, establish protocols and procedures for all matters related to **Hilm** finances.
- iv. Secretary:
  - a. Shall be responsible for maintaining **Hilm** documentation and records, excluding financial. These may include but are not limited to: meeting minutes, membership lists, volunteer lists, event reports, etc.
  - b. To record and distribute the meeting minutes to **Hilm** members.
  - c. In conjunction with the President, establish policies and procedures related to **Hilm** records management.
  - d. The Secretary may work with other **Hilm** members to execute their functions in a timely manner.

## **Article V Meetings**

1. General **Hilm** meetings will be called by the President.
2. Notice of meetings must be provided at least 1 week in advance with the meeting agenda, unless exceptional circumstances exist where a meeting on short notice is required.
3. Meeting minutes must be submitted by the Secretary to the group for approval within a timely manner following the meeting.
4. Committees or specific project leaders can call their own meetings without necessarily having the full attendance of the **Hilm** membership. Notice of these meetings must be provided in advance to the individuals concerned. The **Hilm** President must also be notified of the meetings and be updated on the progress of any committee or group's ongoing work.
5. General, committee, or project meetings can be held in person at an agreed upon location or at a distance with the aid of communications technology. The individual responsible for calling the meeting should do their utmost to ensure that the specific means chosen is convenient to the members and allows for effective participation.

## **Article VI Election Procedures**

1. The only elected position within the organization is that of **Hilm** President.
2. Only active **Hilm** members shall be eligible to be elected as President.
3. Only active **Hilm** members shall be eligible to vote for President.
4. Elections must be held no more than 3 years after the previous election.
5. The current President shall appoint three (3) **Hilm** members (other than him or herself) as Election Officers to conduct the elections and determine the specific means for candidate nominations and vote casting (in-person meeting, electronic ballots, etc.) respecting the election process as outlined in point 10 of this article.
6. Regardless of the means selected, the elections should be conducted in a timely and efficient manner and seek to maximize participation among **Hilm** members.
7. Once the final nominees are announced by the Election Officers, no one is permitted to campaign or canvass votes for themselves or anyone else or to disparage nominees. If the Election Officers feel it is necessary for nominees to present more information about themselves or their views on **Hilm's** future, they can implement a procedure to allow for information sharing while upholding the spirit of integrity and mutual respect at the core of **Hilm's** values.
8. Election results will be considered valid if 75% of active **Hilm** members participate.

9. All voting (including the nomination of candidates and the actual election rounds) are to be done by secret ballot. Only the designated Election Officers are permitted to count the ballots. Election Officers should count the votes cast in private amongst themselves and not publicly disclose specifics on how many votes each candidate received.
10. The election process for President of **Hilm** shall be conducted as follows:
  - i. Election Officers will determine a nomination period during which **Hilm** members shall submit the name(s) of the individual(s) who they wish to nominate to the position of **Hilm** President. Each **Hilm** member may nominate up to THREE individuals.
  - ii. The Election Officers shall collect the lists of nominees and prepare a master list of all individuals that were nominated for the position of President. Election Officers will ask each nominated individual if they accept the nomination. If the nominated individual accepts, their name remains on the master list. If the nominated individual declines the nomination (refusal of nomination should be done only in exceptional circumstances) their name is removed from the master list.
  - iii. If an Election Officer is nominated, the President should appoint a replacement Election Officer from among members not on the nomination list to carry out the remainder of the election procedure.
  - iv. The Election Officers shall share the master list of candidates with all **Hilm** members and explain the means by which votes will be cast.
  - v. At this point if any member has an objection to the vote casting method, the Election Officers, or any other point pertaining to the integrity of the election, they are free to voice their concerns. Election Officers will take into consideration the concerns of the membership and make any necessary adjustments they feel are warranted. Ultimately, the majority of **Hilm** members must agree with the vote casting/counting procedures prior to starting the first round of the election.
  - vi. **First Round:** Based on the names on the master list, **Hilm** members shall indicate and submit their desired choice for President. A vote of abstention can be cast. The Election Officers will tabulate the results.
  - vii. **Second Round:** The two names which receive the most number of votes will be re-entered onto a ballot. Members will then choose between the two candidates on the ballot and the individual with the most number of votes will be elected President.
    - \*Note 1 – If there were only two candidates on the ballot for Round 1 OR only two candidates received votes during Round 1, subsequent rounds are not necessary.*
    - \*Note 2 – If one individual has a clear majority after the first round (over 50%), then the second round is not necessary.*
    - \*Note 3 – The second round may contain more than two candidates if there is a tie in the top vote-getters from the first round, (e.g., four top candidates receive the same number of votes, or there is a tie for second-place votes). If there are more than two candidates in this phase, the voting in the second round should still yield a clear majority decision. If it does not, additional rounds may be added, eliminating candidates until one candidate remains with a majority of the vote.*
  - viii. In the unlikely case of a tie after the final round of voting, the two candidates should discuss amongst themselves and come to an agreement on who will be the **Hilm** President, potentially dividing the term between them. If a solution cannot be agreed upon by the two parties, then the three Election Officers will vote amongst themselves in private between the two final nominees to determine the President.

11. Upon completion of the election, the Election Officers will produce a post-election report which details the following: the date which the election was held, the number of **Hilm** members who participated in the voting, the candidates who were nominated in each round, the outcome of each voting round (not the number of votes candidates received but the individual(s) who received the most votes), as well as any pertinent information related to the election procedure which may be of benefit for future elections. The report should be submitted in a timely manner.
12. The President shall appoint individuals to the various Executive Body positions within one month of their election. The general membership shall be made aware of the nomination of the various Executive Body positions by the **Hilm** President and have a 1-week period whereby they are able to provide feedback to the President on the Executive Body nominations. The President shall receive and consider the feedback provided and may make adjustments, however the President is ultimately responsible for selecting the Executive Body positions.

## **Article VII Dismissal, Inactive Status, Resignation and Vacancies**

### **1. Dismissal of Hilm members**

- i. A **Hilm** member's status in the group is evaluated on an ongoing basis. Causes for dismissal may include: Consistently being absent from meetings, not providing input when requested, not participate in planning or implementation of **Hilm** activities and/or simply not meeting the guidelines as outlined in *Article III*. The dismissed member may be subsequently readmitted to **Hilm** membership subject to the procedures outlined in *Article II*.
- ii. Only the President is permitted to make the final decision of revoking a **Hilm** membership or granting a temporary reprieve from responsibilities. However, any **Hilm** member can express concern over an individual's participation in the group.
- iii. The consideration or actual dismissal of an individual from **Hilm** should be done with discretion and proper consideration. This in no way should reflect poorly on the individual in question. The dismissal process is simply to emphasize the fact that **Hilm** members are expected to be active in their involvement in the group. If an individual cannot meet this expectation but is still interested in supporting **Hilm** in another capacity, they can do so by volunteering, contributing financially, etc.
- iv. The President shall promptly make the membership aware if someone is dismissed from **Hilm**. The specific details on reason(s) for dismissal can be made available if requested by individual group members, but maintaining respect and discretion should be a considering factor.
- v. The dismissal of members from **Hilm** should be an exceptional occurrence. If the overall membership feels that the President is abusing this power then measures listed in the subsequent section (*Article VII – Section 2*) regarding dismissal of the President may be considered.

### **2. Dismissal of Hilm President**

- i. In some exceptional circumstances, **Hilm** member(s) may feel that the President is not meeting expectations in their role as President as defined in *Article IV* and/or as a general **Hilm** member as defined in *Article III*. Causes for dismissal may include: Lack of respect for **Hilm** members and the Shura process,

negligence in advancing the interests of **Hilm**, inappropriate behaviour, conflict of interest, ethical problems, etc.

- ii. If at least three **Hilm** members feel there is a case for dismissal of the President, the following procedure may be enacted:
  - a. The concerned members should present a motion for the **Hilm** President's dismissal to the entire **Hilm** membership. This can be at a general meeting or via another open means of communication with the membership.
  - b. A period of open discussion on the motion may be given prior to proceeding with a vote.
  - c. Voting on the motion for dismissal of **Hilm** President shall be done publically and members can vote either for, against, or abstaining from the motion.
  - d. The voting can be done in person or via another reliable means of casting. If voting on the motion is to be done in person, members who are unable to attend may also cast their vote but must be clearly identified when expressing their position.
  - e. Over 50% of active **Hilm** members must support the removal of the President for the dismissal to be valid.
  - f. If the motion for dismissal passes, the **Hilm** President is immediately removed of their duties and loses their membership privileges. The dismissed President may be subsequently readmitted to **Hilm** membership subject to the procedures outlined in *Article II*.
  - g. The remaining Executive Body members, upon consultation with other **Hilm** membership, will appoint an individual to the position of interim President of **Hilm**. The interim President will serve in this position until the next scheduled election. An individual may serve both as interim President and carry a role in the Executive Body (ex: Secretary, Treasurer, etc.) during this period.
  - h. The interim President assumes all the rights and responsibilities of President until the next election is held.

### **3. Inactive Status**

- i. A **Hilm** member can request a temporary reprieve from their responsibilities without being dismissed from the group. Certain life events may occur which make full participation difficult. If such is the case for an individual in the group, the member should notify the President. In this case, the individual is considered an 'inactive' **Hilm** member where participation in meetings, completion of tasks, etc. are not necessarily expected. If willing, the inactive member can aid in **Hilm** related events on occasion.
- ii. While a **Hilm** member is considered to be 'inactive' they do not have voting privileges in elections nor are they eligible to be elected President.
- iii. Upon discussion with the member in question, the President can re-activate the status of the individual when the member is able to recommit to the responsibilities of membership.

### **4. Resignation**

- i. Any **Hilm** member, including the positions within the Executive Body, can resign from their duties and thus leave **Hilm** at any time.

- ii. For a position other than that of President, the member must communicate this request to the President.
- iii. If a President is to resign from **Hilm**, they must advise the group as a whole.
- iv. Depending on the role left vacated by the resignation of the individual in question, procedures outlined in Section 5 below will be initiated to fill the vacancy.

**5. Vacancies**

- i. If an Executive Body member other than the President is away for an extended period of time and/or is unable to fulfil their duties they shall advise the President as soon as possible. At this time, the President will determine whether or not the duties need to be delegated to another **Hilm** member.
- ii. If the **Hilm** President is away for an extended period of time and/or is unable to fulfil their duties, the Executive Body must be informed as soon as possible. Upon consultation, if the Executive Body (including the President) determines that an interim President is needed to manage the organization an individual from within **Hilm** will be appointed to this position by President until formal elections can be held or until the President returns. If elections are required they can be held at the next scheduled election date (*see Article VI*) or sooner if the Executive Body so determines.
- iii. An individual may serve both as interim President and carry a role in the Executive Body (ex: Secretary, Treasurer, etc.) during this period.
- iv. The interim President assumes all the rights and responsibilities of President until the President returns or a new election is held.

**Article VIII Future Amendments to the Constitution**

1. Any amendments to the **Hilm** constitution can only be made in a **Hilm** General meeting.
2. Any proposed discussion regarding amendments to the constitution must be clearly indicated in the agenda sent out to members prior to the meeting.
3. Any **Hilm** member can propose an amendment to the constitution.
4. A majority vote of 75% of those present at the meeting where a constitutional amendment is proposed will carry the motion forward.
5. The required quorum of **Hilm** members at the meeting for proposed changes to the constitution shall be 75%.