



NIYA

**National Islamic Youth
Association (NIYA)
Constitution**

As of 02 July 2022

Table of Contents

1. Name.....	2
2. Objectives.....	2
3. Attaining Objectives.....	2
4. Affiliation	3
5. Constitution.....	3
6. Property of the Association	4
7. Powers of the Association:	4
8. Membership	5
9. Subscriptions.....	6
10. Termination of Membership.....	6
11. Executive Committee.....	7
12. Power of the Executive Committee	14
13. Annual General Meeting.....	15
14. Special General Meeting	18
15. Executive Committee Meetings	18
16. Meeting Minutes and Records.....	19
17. Point of Order	20
18. Motions	20
19. Finances	21
20. Advisory Board	21
21. Regulations for travel and entertainment reimbursement	24
22. Common Seal	25
23. Interpretation Clause	25
24. Dispute Resolution.....	26
25. Conflict of Interest.....	27
26. Privacy Policy.....	29
27. Dissolution	30
Declaration	30

1. Name

The name of the Association is “National Islamic Youth Association Incorporated”, hereinafter referred to as the “Association”. The Association may also use “NIYA” as an abbreviation.

2. Objectives

2.1. **Advocate** for the Muslim Community at a communal, regional, and national level through collective activism and/or individual areas of expertise.

2.2. **Empower** Muslim Youth to become leaders, not just in the Muslim Community, but within the context of New Zealand as a whole.

2.2.1. **Develop** soft skills and upskill existing proficiencies.

2.2.2. **Support** individuals to pursue leadership in the public and private sectors.

2.2.3. **Provide** opportunities for individuals to enhance their skills and knowledge through workshops, conferences, and opportunities alike.

2.3. **Create** a support network to benefit Muslim Youth across New Zealand.

2.4. **Promote** Young Ulama / Talib-e-Ilm (Seekers of Religious Knowledge) that have both a western contextual upbringing and formal Islamic Education.

2.4.1. **Support** their professional development;

2.4.2. **Facilitate** opportunities to serve, support and develop youth from regional communities.

2.5. **Serve** the most vulnerable youth in our communities by

2.5.1. **Raising** Mental Health Awareness

2.5.2. **Connecting** youth with appropriate service providers in their regions

2.6. **Foster** a cohesive society within New Zealand.

2.7. **Raise** the profile of Muslims of New Zealand in a positive context.

2.8. **Strengthen** the Association’s relationship with the wider community.

3. Attaining Objectives

3.1. The Association shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objectives of the Association.

3.2. In pursuing these objectives, the Association recognises Māori as Tangata Whenua of Aotearoa and will act in accordance with the Te Tiriti o Waitangi / The Treaty of Waitangi.

4. **Affiliation**

- 4.1. The Association shall have the power to collaborate or associate with any Association, both at a national and regional level, given they have similar objects to those of the Association and provided the approval of the Executive is obtained.

5. **Constitution**

- 5.1. The Secretary shall ensure that the Constitution is available to every member to view and obtain a copy thereof.

- 5.2. The constitution must be available to the public through the Association's website.

- 5.3. Where any dispute arises as to the interpretation or construction of these Rules, such dispute shall be determined in accordance with consensus within the Executive.

- 5.3.1. If consensus is not reached within the Executive, the dispute may be raised with the Association's Advisory Board.

- 5.4. The formulation of the Association's By-laws must be in accordance with or aligned to the objects of the constitution.

- 5.5. Alterations to the Constitution and By-laws,

- 5.5.1. These Rules may be repealed, altered, added to, or amended, at any General Meeting by a resolution to that effect carried by a majority of at least two-thirds of those present and entitled to vote, provided that 7 (seven) days prior notice shall be given of any proposed alteration, addition, or amendment, and provided that the wording is approved by consensus of the Executive Committee.

- 5.5.2. Alterations to the By-laws can be made only at Executive Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.

- 5.5.3. When the Association registers as an incorporated society, the following clauses apply,

- 5.5.3.1. A true copy of every such alteration, addition or amendment shall forthwith be delivered to the Registrar of Incorporated Societies in accordance with the requirements of the Act and shall take effect as from the time of registration;

5.5.3.2. A true copy of every such alteration, addition or amendment shall also be delivered forthwith to the New Zealand Companies Office in accordance with the requirements of the Incorporated Societies Act 1908 No 212 [as at 16 May 2020] ;

5.5.3.3. Every alteration, addition or amendment must meet the requirements of the Incorporated Societies Act 1908 No 212 [as at 16 May 2020].

6. Property of the Association

6.1. The Association must apply all property and income of the Association towards the promotion of the objects or purposes of the Association and no part of that property or income to be paid or otherwise distributed, directly or indirectly, to members of the Association, except in good faith in the promotion of those objects or purposes.

7. Powers of the Association:

7.1. To acquire, hold, deal with, and dispose of any real or personal property;

7.2. To open and operate bank accounts;

7.3. To invest its money –

7.3.1. in any security in which trust moneys may be invested; or

7.3.2. in any other manner authorised by the rules of the Association;

7.4. To borrow money upon such terms and conditions as the Association thinks fit;

7.5. To give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;

7.6. To appoint agents and employees to transact any business of the Association on its behalf for reward or otherwise;

7.7. To build, construct, erect, maintain, alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for use by the Association;

7.8. Accept donations and gifts in accordance with the objects of the Association;

7.9. Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Association or to achieve the objects of the Association;
Provide gifts and prizes in accordance with the objects of the Association;

7.10. Organise social events for Members and the promotion of the Association; and

7.11. To enter into any other contract the Association considers necessary or desirable.

8. Membership

- 8.1. Membership shall be open to any person who wishes to further the interests of the Association.
- 8.2. Members must be between the age of sixteen (16) and thirty (30) years for the purposes of this constitution and to be deemed an ordinary or executive member of the Association.
- 8.3. Any person who is a member of the Executive Committee under section 11 shall be deemed to be a member of the Association.
- 8.4. Any person seeking membership shall make an application to the Executive Committee, and the Executive Committee shall determine whether the application is successful or not.
- 8.5. Each person admitted to membership shall be;
 - 8.5.1. Bound by the Constitution and By-laws of the Association;
 - 8.5.2. Come liable for such fees and subscriptions as may be fixed by the Association;
 - 8.5.3. Entitled to all advantages and privileges of membership.
- 8.6. Membership Categories:
 - 8.6.1. **Ordinary Member:** Any person who is a financial member of the Association is entitled to enjoy the privileges of the Association, which include but are not limited to, the following:
 - 8.6.1.1. The right to stand for office at any election of the Association's executive office;
 - 8.6.1.2. The right to hold office on the Association executive after due election to any such office;
 - 8.6.1.3. The right to vote at any Association General Meeting for matters put to vote;
 - 8.6.2. **Supportive Member:** Any person who wishes to join the Association but is not within the age bracket specified in clause 8.2. may apply to be a supportive patron of the Association. This enables them to remain informed about the Associations activities and its progress. However, this limits them from,
 - 8.6.2.1. Standing for office at any election of the Association's executive;
 - 8.6.2.2. Attending and Voting at any Association General Meeting.

8.7. **Affiliated Organisations**

8.7.1. An organisation desirous of becoming an affiliate must make application in accordance with the by-laws of the Association. Such application must be lodged with the Association Secretary on or before a date as determined by the Executive Committee of the Association. Each affiliated organisation shall appoint or elect a delegate as his or her representative to meetings of the Executive Committee.

8.8. The Executive Committee shall appoint a member of the Executive Committee to maintain an up-to-date register of members of the Association.

8.9. A member may at any reasonable time request the records and documents of the Association.

9. **Subscriptions**

9.1. The Executive Committee may set an annual subscription for members, to be set at the Annual General Meeting.

9.2. The Executive Committee are exempt from the subscription but may still contribute.

9.3. The Executive Committee may set different subscriptions for applicants joining at different times of the year.

9.4. The Executive Committee may set different subscriptions for applicants who are not natural residents of New Zealand.

10. **Termination of Membership**

10.1. Any person's membership may be terminated by the following events;

10.1.1. Resignation;

10.1.2. Expulsion;

10.1.3. a Member's annual membership fee remains unpaid after 30 days falling due.

10.2. The Executive Committee shall have the power to suspend or expel any member of the Association, after having undertaken due inquiry, and reaching a two-thirds majority for:

10.2.1. False or inaccurate statements made in the member's application for membership of the Association;

10.2.2. breach of any rule, regulation or by-law of the Association;

10.2.3. by any act detrimental to the Association.

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- 10.3. Any member who has their membership terminated due to a resignation can renew their membership by contacting the Executive Committee.
 - 10.4. Any member who is expelled, suspended, or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

11. Executive Committee

- (1) sometimes called the Management Committee.
 - (2) Committee persons are sometimes referred to as Office Bearers.
 - (3) the main Office Bearers are often referred to as The Executive.
- 11.1. The Executive Committee shall be elected by the Annual General Meeting of the Association by a first past the post-election if there are two or more candidates.
 - 11.1.1. Results of the ballots shall be published to the meeting.
 - 11.1.2. If the election is solely contested, a motion of confidence shall be moved where a candidate must acquire **a two-third majority** to be elected.
 - 11.2. The tenure of the Executive committee shall be from their election at the Annual General Meeting to the start of the following Annual General Meeting. Annual General meetings are to be held biennially (once every two years).
 - 11.3. If a member of the Executive Committee turns thirty (30) during their term, they retain their membership of the Executive Committee until the end of their term (which expires at the start of the following AGM).
 - 11.4. All Executive members must have resided in New Zealand for a minimum of five (5) years.
 - 11.5. All Executive members must intend to reside in New Zealand for the duration of their tenure.
 - 11.5.1. If an Executive member leaves New Zealand to reside overseas prior to a general meeting, they must vacate their position and a by-election must be held.
 - 11.6. The Executive Committee of the Association shall comprise of the

11.6.1. **Co-Chairs**

11.6.1.1. Purpose: The Co-Chairs head the Association as its leaders. They are responsible for maintaining the Association’s scope and direction.

11.6.1.2. Job description: The Co-Chairs oversee and delegates across all aspects of the Association’s structure and functions. These include event organisation, Association finances, public relations, and interaction with other organisations. The Co-Chairs unite the Association’s various roles, liaising between volunteers and constantly maintain the Association’s greater vision and purpose. They also play a public relations role, fostering key relationships on a national and regional level. Other tasks include organising and heading Association meetings, attending appointments, coordinating events, and making decisions on the Association’s general running.

11.6.1.3. The Associations Executive Committee must comprise of two chairs, referred to as the Co-Chairs of the Association.

11.6.1.4. The Co-Chairs must always maintain gender balance.

11.6.2. **Secretary**

11.6.2.1. Purpose: The Secretary maintains the Association’s records, membership-base and information systems.

11.6.2.2. Job description: The Secretary maintains and updates the Association’s Committee and membership databases as needed. They are responsible for placing all venue bookings for both events and Association meetings. The Secretary is responsible for taking all meeting notes, as well as making these available to other members. Other duties include managing the membership mailing list, organising meeting schedules when required and keeping the Association email account in order. The Secretary also monitors the Association’s annual schedule and advises the rest of the Executive with regards to the Association’s progress.

11.6.3. **Treasurer**

11.6.3.1. Purpose: The Treasurer looks after the Association's financial state. They must transparently manage all in-goings and out-goings from the Association account, as well as effectively budget events and report all occurrences to the rest of the Executive.

11.6.3.2. Job description: The Treasurer must effectively budget the Association's actions. A key responsibility is reimbursing the Association's members when they make purchases on the Association's behalf. They must also reimburse non-members who make purchases on behalf of the Association at the concession and approval of the Executive. Additionally, they ensure all invoices are paid on time. The Treasurer also administers monetary grants the Association receives. They must advise the rest of the Executive on the Association's financial decisions.

11.6.4. **Public Relations Officer**

11.6.4.1. Purpose: The Public Relations Officer use a wide range of media to build and sustain a good image for the Association through planned publicity campaigns and PR activity.

11.6.4.2. Job Description: The Public Relations Officer is responsible for planning publicity strategies and campaigns, writing and producing presentations and press releases, dealing with enquiries from the public, the press, and related organisations, organising and attending promotional events such as press conferences, open days, exhibitions, tours, and visits and speaking publicly at interviews, press conferences and presentations. They must also provide the Executive with information about new promotional opportunities and current PR campaigns progress. They must analyse relevant media coverage and liaise with the Executive regarding promotional budgets, timescales, and objectives. The officer may also commission and undertake relevant market research.

11.6.5. **Policy Representative**

11.6.5.1. Purpose: The Policy Representative works to influence political and social events, as well as raise public awareness on different issues. They are responsible for the development of the Associations policy and advising Executive members on policy and strategic outlook.

11.6.5.2. Job Description: The Policy Representative must conduct research, analyse current policies, evaluate the effects of proposed legislation, and report on findings pertaining to relevant issues and events. The Policy Representative must also provide high quality objective analysis and advice to the Association on policy issues. They will be required to represent the Association effectively on relevant working groups and form sound working relationships with external stakeholders within society and government.

11.6.6. **Digital Media Creator**

11.6.6.1. Purpose: The Digital Media Creator is responsible for promoting the Association and boosting external engagement through the creation, editing and publishing of digital media resources.

11.6.6.2. Job Description: The Digital Media creator works alongside the social media coordinator to establish and promote the Associations digital presence. The Digital Media Creator builds digital media campaigns, overseeing and monitoring the creation of digital content, and finishing up digital projects. They are also responsible for leading the Associations marketing efforts using new media and digital tools. The digital media creator also assists and supports the Executive team to ensure the development of effective internal and external digital communications processes.

11.6.7. **Social Media Coordinator**

11.6.7.1. Purpose: The Social Media Coordinator ensures the Associations activity and events are advertised effectively and in accordance with the Association's objectives.

11.6.7.2. Job Description: The Social Media Coordinator works alongside the Digital Media Creator, to overlook, administer and monitor the Associations social media presence. This includes creating the schedule of the event, creating flyers, administering the Association’s social media platforms, including its website, sending newsletters, and ensuring the Association maintains an active digital presence. This role also includes oversight of social media communication with the general public and membership.

11.6.8. **Youth Representative**

11.6.8.1. Purpose: The Youth Representative, aged between sixteen (16) and eighteen (18) at the time of the Annual General Meeting, ensures that the Associations builds in appropriate capacities and opportunities to cater for, and support our youngest demographic, especially those at high school.

11.6.8.2. Job Description: The Youth Representative advocates on matters associated with youth still at high school. They ensure the Association is aware of issues and builds capacity to support individuals. They also organise events, and opportunities to develop this demographic.

11.6.9. **Religious Affairs Coordinator**

11.6.9.1. Purpose: The Religious Affairs Coordinator ensures the Association is always aware of its religious duties and builds in capacity for the Association to promote and support religious events and education in New Zealand. They also coordinate with the Ulama Council of New Zealand (UCNZ) on all matters relating to Islamic Jurisprudence.

11.6.9.2. Job Description: The Religious Advisor educates, inspires, challenges and promotes the work of the Association in light of Islam and its teachings. They build in opportunities for the Association and its members to develop religiously, with religious gatherings and events. They also oversee the progress the Association makes in regard to its objectives in clause 2.4.

11.6.10. **Welfare Representative**

11.6.10.1. Purpose: The Welfare Representative is responsible for the development, implementation, and compliance of the Associations welfare policy.

11.6.10.2. Job Description: The Welfare Representative must oversee the Associations objectives under clause 2.5. Additionally, they must maintain up to date knowledge of welfare and tangential issues in the New Zealand context. While doing so, they must receive and advise on reports or disclosures pertaining to welfare matters from the Associations members. Additionally, they must also inform the Association of any cases of misconduct and initiate actions to report and resolve such matters.

11.7. Gender Balance – The Association’s Executive Committee must comprise of no less than fifty percent (50%) of each gender; ensuring gender equality and representation on the Executive Committee. To achieve this, the following process shall be adopted:

11.7.1. Before the Executive elections commence, the percentage of people who identify as male and female must be noted.

11.7.2. As each position is filled the gender balance shall be displayed. If gender balance falls below fifty percent (50%), then the chair of the meeting must halt the election, remind delegates of the importance of equal representation on the Executive Committee and point out the opportunities remaining to rectify the problem.

11.7.3. At the end of the elections, if the Executive Committee does not comprise of a gender balance, the meeting must immediately co-opt sufficient male or female general Executive members until gender balance is achieved.

11.7.4. **General Executive Member**

11.7.4.1. A general Executive member may be elected to ensure gender balance.

11.7.4.2. No more than ten (10) general Executive members may be elected in a term.

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- 11.7.4.3. Purpose: To ensure gender balance in the Executive Committee. To help the Association with its objectives.
 - 11.7.4.4. Job Description: To help with the running of the Association. Attend Executive Committee Meetings and vote on matters. Help with the organization of events.
 - 11.8. Officers for the Purposes of Incorporated Societies Register shall be the Co-Chairs, Treasurer and Secretary.
 - 11.9. If the Executive Committee is unconstitutional at the end of the Annual General Meeting, the incoming Executive shall be given two (2) weeks to become constitutional. If the Executive Committee remains unconstitutional following this time frame, all incoming Executive members must vacate their posts immediately and another Executive Committee Election must be called within an appropriate time frame.
 - 11.10. The Executive Committee shall have the power to fill any places vacant following the Annual General Meeting or any vacancy in the Executive Committee or among its named officers until the next Annual General Meeting. This must be done by holding a by-election.
 - 11.11. No person shall hold more than one position on the Executive Committee at any one time.
 - 11.12. Elected members of the Executive Committee shall retire at each Annual General Meeting but will be eligible for re-election at the same or subsequent meetings should they satisfy the membership criteria of the Association. Newly elected Executive Committee members shall take office immediately upon their election.
 - 11.13. A quorum of the Executive Committee shall be half of its members plus one.
 - 11.14. If either of the two Co-Chairs are unable to attend, then a chairperson nominated by the those present shall chair that meeting.
 - 11.15. A member of the Executive Committee may be expelled from membership for any period, and/or reprimanded due to wilfully infringing any clause of the constitution or for either of the following;
 - 11.15.1. Absence from three or more consecutive meetings without leave of absence;
 - 11.15.2. If the member gives the Secretary notice tendering their resignation, with at least seven days' notice, and such notice is accepted by the Executive.

11.15.3. Motion of no confidence moved by a member of the Executive Committee having passed with a two-thirds majority. This motion can be moved if the following actions occur;

11.15.3.1. The Executive member is guilty of any act tendering him or her unfit to be a member of the Association, provided that before taking such action the Committee shall allow the member an opportunity of explaining his or her conduct and further provided there is right of appeal to the Association's Advisory Board;

11.15.3.2. The Executive member is involved in legal proceedings or convicted of criminal offences that are detrimental to the image of the Association and its affiliates, members, and Advisory Board.

12. Power of the Executive Committee

12.1. The Executive Committee shall carry out the day-to-day running of the Association and shall have the power to:

12.1.1. Administer the finances, appoint signatories, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;

12.1.2. Fix the way such banking accounts shall be operated upon, providing the Executive Committee passes all payments;

12.1.3. Fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;

12.1.4. Adjudicate on all matters brought before it which in any way affect the Association;

12.1.5. Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;

12.1.6. Make, amend and rescind rulings and By-laws;

12.1.7. Have the power to form and appoint any sub Committee/s as required for specific purposes;

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- 12.1.8. May at their discretion employ a person or persons to carry out certain duties required by the Association, at salaries or remunerations for such period, as may be deemed necessary;
 - 12.1.9. Should a vacancy occur on the Executive Committee during the season, the Executive Committee shall appoint a successor until the next Annual General Meeting by holding a by-election;
 - 12.1.10. Appoint an officer/s or agent of the Executive Committee to have custody of the Association's records, documents, and securities.

13. Annual General Meeting

- 13.1. The Annual General Meeting of the Association shall be held biennially (once every two years) within the month of April.
 - 13.1.1. Schedule for next Annual General Meeting: April 2023
- 13.2. The Secretary shall give at least fourteen (14) days' notice of the date of the Annual General Meeting to members.
- 13.3. All financial members may attend the Annual General Meeting.
- 13.4. The quorum at the Annual General Meeting shall be a minimum of five percent (5%) of its official membership list as approved by the Executive committee. If at the end of 30 minutes after the time appointed in the notice for the opening of the meeting there be no quorum, the meeting shall stand and adjourn for one week. If at such meeting, there is no quorum those members present shall be competent to discharge the business of the meeting.
- 13.5. More than one (1) Returning officer must be elected for contested Executive Committee Elections. The returning officer oversees contested elections at any General Meeting and reports the results.
 - 13.5.1. The Returning Officer must conduct fair and transparent elections by outlining the process and ensuring impartiality.
 - 13.5.2. They have the discretion to use any framework best suited to the election after consensus with the Associations Executive.
 - 13.5.3. The methodology to report results must also be in consensus with the Associations Executive and Membership in attendance of the General Meeting.

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- 13.6. The Annual General meeting shall carry out the following business:
- 13.6.1. Receive the minutes of the previous Annual General Meeting and of any other General Meeting held since the last Annual General Meeting;
 - 13.6.2. Receive written or oral reports from all officer Executive Committee members outlining their activities and projects over the last year and their proposed priorities and directions for the position for the current year;
 - 13.6.3. Receive the balance sheet and statement of income and expenditure for the past year and the estimate of income and expenditure for the current year;
 - 13.6.4. Elect the Association’s Executive Committee;
 - 13.6.5. Ensure the Association is fully compliant under the Incorporated Societies Act 1908 No 212 [as at 16 May 2020];
 - 13.6.6. Conduct any other business that may be properly brought before the meeting.
 - 13.6.7. The agenda for an Annual General Meeting shall be;
 - 13.6.7.1. Opening of Meeting
 - 13.6.7.2. Confirmation of Chairperson
 - 13.6.7.3. Apologies
 - 13.6.7.4. Consideration of Agenda
 - 13.6.7.5. Minutes from previous Annual General Meeting and any other General Meeting since the last Annual General Meeting
 - 13.6.7.6. Correspondence
 - 13.6.8. Officer Term Reports
 - 13.6.8.1. Co-Chairs Report
 - 13.6.8.2. Treasurer's Report
 - 13.6.8.3. Secretary’s Report
 - 13.6.8.4. Public Relations Officer Report
 - 13.6.8.5. Policy Representative Report
 - 13.6.8.6. Social Media Coordinator and Digital Media Creator Report
 - 13.6.8.7. Youth Representative Report
 - 13.6.8.8. Religious Affairs Coordinator Report

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- 13.6.8.9. Welfare Representative Report
 - 13.6.9. Election of Returning Officer
 - 13.6.10. National Islamic Youth Association Executive Committee Election
 - 13.6.10.1. Youth Representative
 - 13.6.10.2. Religious Affairs Coordinator
 - 13.6.10.3. Social Media Coordinator
 - 13.6.10.4. Digital Media Creator
 - 13.6.10.5. Welfare Representative
 - 13.6.10.6. Policy Representative
 - 13.6.10.7. Public Relations Officer
 - 13.6.10.8. Treasurer
 - 13.6.10.9. Secretary
 - 13.6.10.10. Co-Chair 1
 - 13.6.10.11. Co-Chair 2
 - 13.6.10.12. General Executive Member(s) to achieve gender balance (if required)
 - 13.6.11. Determination of Annual Membership Fee
 - 13.6.12. Compliance under the Incorporated Societies Act 1908 No 212
 - 13.6.13. National Islamic Youth Association Advisory Board Nomination and Election
 - 13.6.14. General Matters Arising
 - 13.6.15. Annual General Meeting Closure
 - 13.7. Voting powers at the Annual General Meeting
 - 13.7.1. The Co-Chairs shall be entitled to a deliberate vote and, in the event of a tied vote; the Co-Chairs shall exercise a casting vote.
 - 13.7.1.1. In the case the Co-Chairs votes do not break the tied vote, the Secretary shall exercise a casting vote.
 - 13.7.2. Each individual financial member present shall have one (1) vote.

14. Special General Meeting

- 14.1. The Executive Committee may call a Special General Meeting.
- 14.2. The Executive must call a Special General Meeting if five (5) percent of the membership of the Association write to the Secretary requesting a Special General Meeting. The Special General Meeting must be held within thirty (30) days of the Secretary receiving the request.
- 14.3. A Special General Meeting will take place immediately before each Annual General Meeting if constitutional amendments have been submitted in accordance with section five (5), clause five (5).
- 14.4. Voting powers at the Special General Meeting
 - 14.4.1. The Co-Chairs shall be entitled to a deliberate vote and, in the event of a tied vote; the Co-Chairs shall exercise a casting vote.
 - 14.4.1.1. In the case the Co-Chairs votes do not break the tied vote, the Secretary shall exercise a casting vote.
 - 14.4.2. Each individual financial member present shall have one (1) vote.

15. Executive Committee Meetings

- 15.1. Executive Committee Meetings may be called by the Executive Committee or at the request of the Co-Chairs and Secretary.
- 15.2. The Secretary shall give at least two (2) days' notice, in writing, of the date of the Executive Committee Meeting to the members. Notice of Executive Committee Meeting shall set out clearly the business for which the meeting has been called.
- 15.3. The quorum at the Executive Committee Meeting shall be a minimum of half the Executive Committee plus one (1).
- 15.4. Voting powers at Executive Committee Meetings;
 - 15.4.1. The Co-Chairs shall be entitled to a deliberate vote and, in the event of a tied vote; the Co-Chairs shall exercise a casting vote.
 - 15.4.1.1. In the case the Co-Chairs votes do not break the tied vote, the Secretary shall exercise a casting vote.
 - 15.4.2. Each individual financial member present shall have one (1) vote.

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- 15.5. At any time during an Executive meeting the Executive may resolve itself into a Committee of the whole. Except for the motions which carried the proceedings in and out of the Committee of the whole, motions and discussion shall not be reported or recorded.

16. Meeting Minutes and Records

- 16.1. The Secretary shall keep minutes and/or equivalent records in which shall be recorded all the transactions and decisions of all General Meetings and of all meetings of the Executive, respectively.
- 16.2. In respect of each such meeting the Secretary shall record in the appropriate minutes or records:
- 16.2.1. The nature of such meeting;
 - 16.2.2. The date, time and place of such meeting;
 - 16.2.3. The number and names of the members present and an indication as to the name of the member of the chair;
 - 16.2.4. The fact of confirmation of any Minutes;
 - 16.2.5. The text of every motion and amendment which was duly moved and seconded thereat;
 - 16.2.6. A statement or note showing whether such motion or amendment was lost or carried and showing also the name of any member who has expressly desired that his/her dissent thereto or his/her abstention from voting thereon be recorded.
 - 16.2.7. The fact of the giving of any notice or motion;
 - 16.2.8. Details of the declaration of all elections required to be declared at such meeting.
 - 16.2.9. The receipt discussion adoption nature and effect of any notice, resignation, report, letter or any other document discussed or adopted thereat;
 - 16.2.10. All such other matters and things as are or may be usually conveniently or properly recorded in the Minutes of any proceedings.
- 16.3. It shall be a duty of the Secretary to see that the Minutes of any meeting are duly confirmed by the next succeeding meeting and are signed as correct by the Chairperson of such next succeeding meeting.

17. Point of Order

17.1. At any time, any member may address the Chairperson on a point of order (such as a breach of Standing Orders, or irrelevance on the part of the speaker), but must immediately state that they are raising a point of order and must confirm observations to the point of order raised. A point of order must be raised immediately the breach occurs. A member called to order should be given the opportunity to explain and the Chairperson may allow others to speak, briefly, but new matters must not be debated. The Chairperson's ruling on a point of order is final (and may not be discussed), subject always to a motion to disagree with the Chairperson's ruling.

18. Motions

18.1. In the case of an Executive Committee needing to make a prompt decision between meetings, a decision may take place via email, text, or another form of electronic communication so long as:

- 18.1.1. All Executive Committee members are given notice of the motion;
- 18.1.2. After notice of the motion is given, members are given at least twenty-four (24) hours to respond;
- 18.1.3. The content of that message will have a short piece of rationale/explanation about the motion, and then the text "I MOVE that" or "MOTION: that" followed by the rest of the motion;
- 18.1.4. Motion is seconded by another member of the Executive Committee;
- 18.1.5. After at least twenty-four (24) hours, the co-chairs or Executive who has moved the motion notify the entire Executive Committee that the motion has closed, and based on the votes received, declare it to have passed or failed;
- 18.1.6. If a motion has failed due to a majority of abstentions, the motion may be moved again after an explanation of abstention from each member, with the Executive Committee then being obliged to vote without an abstention except those members directly affected by the motion;
- 18.1.7. Quorum is met.

19. Finances

- 19.1. All funds of the Association shall be deposited into the Association's accounts at such bank or recognised financial institution as the Executive Committee may determine.
- 19.2. All accounts due by the Association shall be paid by bank transfer after having passed for payment at the Executive Committee Meeting or through a motion when immediate payment is necessary.
- 19.3. The Secretary shall not spend more than a set amount Petty Cash without the consent of the Executive Committee and shall keep a record of such expenditure in a Petty Cash Book.
- 19.4. A statement showing the financial position of the Association shall be tabled at each Annual General Meeting by the Treasurer.
- 19.5. A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting.
- 19.6. The financial year of the Association shall commence on first (1st) April each year. The accounts, books and all financial records of the Association shall be audited each year.
- 19.7. The signatories to the Association's account/s will be the Treasurer and Co-Chairs.
- 19.8. All property and income of the Association will apply solely to the promotion of the objects of the Association and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

20. Advisory Board

20.1. Purpose

- 20.1.1. The Advisory Board of the Association consists of a select group of community leaders and professionals who are primarily respected members of the Muslim Community.
- 20.1.2. They have shown leadership and professional success in their career and are fully dedicated to helping the Association develop and fulfil its objectives.

20.1.3. The Advisory Board is the primary source of external guidance for the Association and provides counsel for the Association's research, projects, and development programs.

20.1.4. Advisory Board Members provide counsel and advice to the Executive committee and Association, develop assets to enhance the Association's abilities to meet its objectives, and help promote the Association in wider New Zealand contexts.

20.2. **Nomination and Election Process**

20.2.1. Advisory Board Member Nomination forms must be completed and received by the Associations secretary seven (7) days prior to the Annual General Meeting.

20.2.2. A maximum of eight (8) members will serve on the Board at any given time.

20.2.3. On the receipt of Nomination forms, the Advisory board shall be instated by the Annual General Meeting of the Association.

20.2.3.1. If the Association receives eight (8) or less nominations, the board shall be elected through a motion of confidence, where each candidate must acquire a two-third majority to be elected;

20.2.3.2. If the Association receives more than eight (8) nominations, the board shall be elected through a single transferrable vote process, where members preferentially rank nominated individuals, and the top eight (8) candidates are instated as the Associations Advisory Board.

20.2.4. The tenure of the Advisory board shall be aligned to that of the Executive Team, from their election at the Annual General Meeting to the start of the following Annual General Meeting.

20.2.5. Following a two-year term, members can be re-nominated to serve another term at the discretion of the Annual General Meeting.

20.2.6. Membership representation shall reflect leadership and contribution to their respective professions and/or the Muslim Community.

20.2.7. The incoming Executive Committee can defer the formation of the Advisory Board to within two (2) weeks of the Association's Annual General Meeting.

20.2.8. Members can be replaced within a term, following notification to the member, for the following reasons:

20.2.8.1. Failure to attend three consecutive scheduled or called Board meetings;

20.2.8.2. For actions of a member that places unfavourable publicity on the Association, the Muslim Community, or the wider New Zealand public.

20.2.8.3. Upon written resignation by the Advisory Board Member.

20.2.9. The Board shall choose a Chair from among its membership who shall be responsible for running the meetings and coordinating meeting content with the Association Co-Chairs.

20.2.9.1. The Advisory Board Chair will serve for a two-year term.

20.2.9.2. Election of a Chair will be conducted at the start of the two-year term.

20.2.9.3. If the Advisory Board Chair resigns or is replaced during their two-year term, board members will elect a new chair.

20.3. **Board Member Qualifications**

20.3.1. Are knowledgeable of, and support the goals and mission of the Association;

20.3.2. Have demonstrated an interest in the Association through financial, time, or intellectual contributions that have enhanced the Association or its objectives;

20.3.3. Have gained stature in their field of expertise or the wider community with demonstrated leadership, visibility and respect within their sphere of influence;

20.3.4. Are aware of, have access to, and are willing to approach individuals and organizations within their ability and means to help the Association achieve its goals and objectives.

20.4. **Responsibilities**

20.4.1. Attend meetings and participate in teleconferences to the fullest extent possible;

20.4.2. Provide expert advice, counsel and assistance to the Association in setting and then accomplishing its strategic goals;

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- 20.4.3. Support the Association’s long-term goals and objectives;
 - 20.4.4. Invest in the Association’s future, develop personal relationships with its members and contribute to the objects of the Association.
 - 20.4.5. Represent the Association within their area of influence, and to the Public.
 - 20.4.6. Attend an annual one-day meeting with the executive committee held in a location best suited to the membership, with additional teleconferences, as necessary.
 - 20.4.6.1. The Association shall cover all appropriate travel expenses for Board Members subject to constitutional regulations for travel and entertainment reimbursement.

21. Regulations for travel and entertainment reimbursement

21.1. Reimbursement Process

- 21.1.1. All claims for reimbursements must be made using the reimbursement form.
- 21.1.2. The Association’s treasurer can be contacted for assistance in making a reimbursement claim.
- 21.1.3. All expenditure must be supported by GST receipts, which must be attached to the claim form.
- 21.1.4. All reimbursement payments to Executive Committee and Advisory Board Members will be direct credited into the bank account held in the Association’s financial system.
- 21.1.5. Reimbursement payments to general members and non-members will be made into the provided bank account on the reimbursement form. A bank deposit slip or proof of bank account must be attached to the Reimbursement Claim Form.
- 21.1.6. Reimbursement of work-related travel costs should be calculated using the most cost-effective means for the Association.
- 21.1.7. Reimbursements must be approved by the Executive Committee
- 21.1.8. Reimbursements should not be made using petty cash.

21.2. Mileage Rates

- 21.2.1. The Association has a mileage reimbursement rate of \$0.79 per kilometre (km) for the first 3,500kms in one calendar year, for Executive Members and other Association representatives who use their private vehicle on Association business. This rate applies to all vehicles irrespective of vehicle size and type.
- 21.2.2. The mileage reimbursement rate for over 3,500km in a calendar year on Association for business are set at \$0.30 for petrol or diesel vehicles, \$0.19 for petrol hybrid vehicles and \$0.09 for electric vehicles.
- 21.2.3. The record keeping of the kilometres reimbursed to an Executive Committee or advisory board member is to be done by the individual and provided to the treasurer upon reimbursement request.
- 21.2.4. The reimbursement rate will not apply to those members who have other rates specified in the project or purpose scope.

21.3. Conference, Research and Study Leave

- 21.3.1. Expenses paid or reimbursed by the Association for Conference Leave or Research and Study Leave must be work related and contain no element of private expenditure to avoid a taxation liability.
- 21.3.2. The treasurer should be contacted in regards to, costs related to family members accompanying the employee on Conference Leave or Research and Study Leave.

22. Common Seal

- 22.1. (A rubber stamp on which is engraved the Association's name)
- 22.2. The common seal of the Association shall be kept in the care of the Secretary. The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Executive Committee.

23. Interpretation Clause

- 23.1. Any matters not specifically provided for in this constitution are to be determined in accordance with the advice of the Associations Advisory Board.
- 23.2. If disputes arise from the interpretation of the constitution, and consensus to resolve the matter is not reached within the Executive, then the dispute may be raised with the Association's Advisory Board or through a dispute resolution process.

24. Dispute Resolution

- 24.1. The Association and its Executive Committee may seek the intervention of the Advisory Board on matters that require Dispute Resolution or Mediation;
- 24.2. The Advisory Board, through deliberation and consensus, may opt to consider any of the following dispute resolution processes,
- 24.2.1. Negotiation;
 - 24.2.2. Conciliation;
 - 24.2.3. Mediation;
 - 24.2.3.1. Any party who claims that a dispute has arisen under or in relation to this constitution or the operations of the Association must give written notice to every other party specifying the nature of the dispute. A copy of which must be submitted to the Advisory Board.
 - 24.2.3.2. On receipt of such notice by the other parties, the parties to this agreement –
 - 24.2.3.2.1. Must co-operate and use their best endeavours to resolve the dispute expeditiously.
 - 24.2.3.2.2. Must, if they do not within seven days of the receipt of the notice (or such further period as they may agree in writing) resolve the dispute, refer the dispute to mediation (“the mediation”).
 - 24.2.3.3. The mediation shall in all respects be conducted in terms of the Resolution Institute Standard Mediation Agreement (NZ version).
 - 24.2.3.4. The mediation shall be conducted by a mediator and at a fee agreed by the Association.
 - 24.2.3.5. Any mediator conducting mediation must be impartial and independent of the parties. The mediator cannot act as an advocate for, representative of, or advisor to, any party.
 - 24.2.3.6. Upon initiating the mediation process and appointment as a mediator, the mediator accepts a continuing duty to immediately disclose to the

parties and the Association any circumstances arising in the future which might be likely to give rise to justifiable doubts as to that mediator's impartiality or independence in the eyes of any of the parties. This duty continues until the mediation is concluded.

24.2.3.7. Expert determination;

24.2.4. Neutral fact finding;

24.2.5. Arbitration.

24.3. No party to this agreement shall commence any court or arbitration proceedings relating to a dispute arising out of or related to this constitution or the operations of the Association unless that party has first complied with clause 24.

25. Conflict of Interest

25.1. The Association shall mitigate all possibilities and ensure conflict of interest is managed and dealt with in an appropriate manner.

25.2. A conflict of interest can arise when:

25.2.1. a person involved with the Association could benefit (financially or otherwise) from the Association. This benefit could be directly to the individual, or indirectly through someone they are connected to; or

25.2.2. a person's duty to the Association competes with a duty or loyalty they have to another organisation or person.

25.2.3. This includes any situation where it could be perceived that someone's personal interest or loyalties could affect their decision making.

25.3. The Association must ensure,

25.3.1. decisions made are in the best interest of the Association when contemplating entering into a transaction, contract or arrangement that might benefit the private or personal interests of the decision maker;

25.3.2. the members, Executive Committee and Advisory Board act at all times in the best interest of the Association;

25.3.3. people do not directly or indirectly receive any profit from their position;

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- 25.3.4. any financial interest is disclosed;
 - 25.3.5. people do not use their position to obtain information to achieve financial benefit for themselves or another close family member, friend, or for another organisation. Family includes anyone related by blood, marriage or domestic partnership.
- 25.4. These procedures will be followed to ensure decisions are made in the best interest of the Association,
- 25.4.1. An interest register will be regularly maintained and monitored where everyone will register any perceived, current or potential interests. The interest register will include information about:
 - 25.4.1.1. the person affected;
 - 25.4.1.2. the type of conflict of interest, and
 - 25.4.1.3. how it will be ensured that decisions are made in the Association's best interest.
 - 25.4.2. At the beginning of every Executive Committee meeting, conflicts of interest will be declared that relate to the agenda items for discussion.
 - 25.4.3. When there is a conflict of interest, the affected person will not take part in the discussion or decision making.
 - 25.4.4. The minutes of meetings will record all disclosures and declarations of conflict of interest. This should include:
 - 25.4.4.1. the type of conflict of interest; and
 - 25.4.4.2. the person affected; and
 - 25.4.4.3. whether the conflict of interest was declared in advance (new conflicts of interest will be added to the conflict-of-interest register)
 - 25.4.4.4. a summary of the discussion, and

25.4.4.5. how it was ensured that decisions were made in the Association’s best interest, including anyone that withdrew from the discussion and decision making.

25.4.5. An ongoing conflict register will record this information, and any related party transactions will be recorded in the Performance Statement at the end of the year.

26. Privacy Policy

26.1. The Association must comply with the New Zealand Privacy Act 2020 (the Act) when dealing with personal information. Personal information is information about an identifiable individual (a natural person).

26.2. The Association gathers information about its current and potential members. This information includes,

26.2.1. Your name;

26.2.2. Your email, residential or business addresses;

26.2.3. Your Date of Birth and gender details;

26.2.4. Your telephone number;

26.2.5. Details of your membership with affiliates or organisations which are members of our association;

26.2.6. Key interest areas.

26.3. Personal Information is collected and stored on a secure Membership Form.

26.4. We will use your members personal information:

26.4.1. To verify their identity;

26.4.2. To provide services and membership privileges to members;

26.4.3. To market our services progress and updates to members, including contacting them electronically (e.g. by text or email for this purpose);

26.4.4. To improve the services and membership privileges that the Association provide to its members;

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- 26.4.5. To bill members and to collect money that is due for membership fees, including authorising and processing credit card and direct debit transactions;
 - 26.4.6. To respond to communications from members, including complaints;
 - 26.4.7. To conduct research and statistical analysis (on an anonymised basis)
 - 26.4.8. To protect and/or enforce our legal rights and interests, including defending any claim;
 - 26.4.9. For any other purpose authorised by members or the Act.
- 26.5. The Association may send emails throughout the enquiry process or related to the services members receive from the association as well as other newsletter emails members elect to receive.
- 26.6. The Association will immediately remove any person from any mailing list upon the person's request.

27. Dissolution

- 27.1. If, on the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of that winding up, that property shall be distributed to
- 27.1.1. Another incorporated Association having objects similar to those of the Association; or
 - 27.1.2. For charitable or benevolent purposes, which incorporated Association or purposes, as the case requires, shall be determined by resolution of the members.

Declaration

We certify that this is a true and correct record of the Constitution as ratified by:

National Islamic Youth Association (NIYA)

2021/2023 Executive Members Committee

on the 02 of July 2022

Appendix

Executive Committee 2021 – 2023

Name	Gender	Position Held	Region
Haris Murtaza	Male	Co-Chair	Auckland / Wellington
Sondos Qur'aan	Female	Co-Chair	Christchurch / Wellington
Yousuf Ahmad	Male	Treasurer	Wellington
Raiyan Azmi	Male	Secretary	Hamilton / Wellington
Mahrukh Sarwar	Female	Policy Representative	Auckland / Wellington
Iqra Khan	Female	Public Relations	Auckland
Shaheer Salman	Male	Welfare Representative	Dunedin
Zainab Mustafa	Female	Social Media Coordinator	Auckland
Nour Malak	Female	Digital Media Creator	Auckland
Laiba Batool	Female	Youth Representative	Auckland
Fahri Agam	Male	Religious Affairs Coordinator	Wellington
Shakeel Khan	Male	General Executive	Auckland
Hanifa Kodirova	Female	General Executive	Wellington
Naser Tamimi	Male	General Executive	Dunedin / Wellington

Advisory Board 2021 – 2023

Name	Gender	Areas of Expertise	Region
(Dr) Mohammed Zubair Rizwan	Male	Health & Science	Dunedin
Ghulam Khan	Male	Education & Community Development	Wellington
Noeleen van de Lisdonk	Female	Community Development	Auckland
Rehanna M. Y. Ali	Female	Community Development, Gender Equity, Islamic Law & Inclusivity	Wellington
(Mufti) Muhammed Shaakir Ismail	Male	Islamic Sciences	Auckland
Jasim Adam	Male	Community Development	Wellington
(Dr) Zeenah Adam	Female	Psychology & Mental Health	Wellington
Haseeb Bukhari	Male	Accounting, Finance & Supply Chain	Auckland