

CONSTITUTION

PERTUBUHAN RIYAD AL JANNAH (RIYAD AL JANNAH ASSOCIATION)

CLAUSE 1 NAME

1. The Association shall be known as

PERTUBUHAN RIYAD AL JANNAH (RIYAD AL JANNAH ASSOCIATION)

Hereinafter referred to as "the Association".

2. Meaning of name : **Gardens of Paradise**
3. Level : **Lain-lain**

CLAUSE 2 ADDRESS

1. The registered address is

**SUITE 2.1, LEVEL 2, BLOCK C, PLAZA DAMANSARA, 45 JALAN MEDAN
SETIA 1, BUKIT DAMANSARA
50490 KUALA LUMPUR
WILAYAH PERSEKUTUAN KUALA LUMPUR**

or at such other place as may from time to time be decided by the Committee; and the postal address is

**SUITE 2.1, LEVEL 2, BLOCK C, PLAZA DAMANSARA, 45 JALAN MEDAN
SETIA 1, BUKIT DAMANSARA
50490 KUALA LUMPUR
WILAYAH PERSEKUTUAN KUALA LUMPUR**

2. The registered and postal addresses shall not be changed without the prior approval of the Registrar of Societies.

CLAUSE 3 OBJECTIVE

3. AIMS AND OBJECTS

3.1 (a) Learning based on the principles of the Quran and Sunnah that creates a strong conviction about Islamic beliefs and teachings.

(b) Nurturing a positive identity as a Muslim, intellectually, socially, emotionally and physically for the betterment of the family, community, country and humanity.



(c) To create an environment that will develop strong moral values with "Qur'an as the criterion".

(d) To nurture, cultivate and foster creative and critical thinking skills and develop in each student or youth a desire for learning and to seek knowledge.

(e) To effectively instill values that promote commitment towards Islam and respect towards the society we live in through effective charity and as guided by the Noble Qur'an and the sunnah of Prophet Muhammad (peace be upon him).

(f) To focus on community-based work on engaging the public through knowledge and trainings at our centre, seasonal activities and outreach programmes and mission-based initiatives.

(g) To deploy aid and relief on a 'need-is-greatest' basis to help the marginalised and vulnerable in communities affected by crises such as military and political conflicts, famine and poverty, and floods and earthquakes.

CLAUSE 4 MEMBERSHIP

4. MEMBERSHIP

4.1 Membership:

Membership shall be opened to:

(a) Ordinary Member: - Membership for Ordinary Members shall be limited to 200 who are above 18 years of age.

(b) Teenage Member - Membership for Teenage Members shall be limited to 200 who are below 18 years of age.

(c) Associate Member: - The Committee may invite any individual to become an Associate Member. Associate Members shall not be required to pay any annual fees and are not entitled to vote or to hold any office in the Association unless with approval of the Registrar of Societies.

(d) Foreign member: - The Committee may invite any foreigners to become a member of the Association who shall not be required to pay any annual fees and are not entitled to vote or to hold any office in the Association unless with approval of the Registrar of Societies.

(e) Patron: - The Committee may invite any individual to become the Patron of the Association. The appointment of a Patron of the Association shall be approved by a resolution either during an Annual General Meeting (hereinafter referred to as "AGM") or Extraordinary General Meeting (hereinafter referred to as "EGM") of the Association.



4.2 Application for Ordinary Membership

The following rules shall apply:

- (a) Applications for Ordinary Membership shall be made by completing the prescribed form together with the payment of RM50.00 being the registration entrance fees for membership.
- (b) Every application for Ordinary Membership shall be proposed and seconded by two (2) existing members. Any application by a minor (under the age of 18 years old) for membership shall be executed by his or her parents or guardian and such minor shall not be a member of the committee or a trustee or secretary or treasurer or manager of the Association.
- (c) The completed form and registration fees shall be forwarded to the Secretary who shall at the first convenient opportunity submit it to the Committee for approval.
- (d) The Committee shall have the discretion to approve or reject any application for Ordinary Membership and need not give any reasons for its decision. The Committee shall indicate its approval by completing the prescribed form. Registration fees shall be refunded to the applicant in the event his application is rejected.
- (e) Every applicant whose application has been approved as aforesaid shall, upon payment of the prescribed entrance fee and first annual fee, be admitted as a member of the Association and shall be entitled to all the privileges of membership.

CLAUSE 5 RESIGNATION AND TERMINATION

5.1 A member shall cease to be a member of the Association under the following circumstances:

- (a) By tendering a notice of resignation in writing at least two (2) weeks before the date of resignation to the Secretary and shall pay up all dues.
- (b) Upon death.
- (c) Upon being declared insane or of unsound mind.
- (d) By being expelled by the Committee due to any misconduct or action that is deemed prejudicial to the interests of the Association or for any other reasons as may be determined by the Committee.
- (e) By defaulting in the payment of subscription as stated in Clause 4.2.

5.2 Any member who fails to comply with the rules of the Association or has acted



in the manner to bring disrepute upon the Association may be expelled or suspended for a period of time as the Committee deems fit. Before the Committee expels or suspends the Member, the member shall be informed of the grounds for such expulsion or suspension in writing and be given an opportunity to explain and clear himself in person. Such suspension or expulsion shall be enforced, unless otherwise reversed by a general meeting upon appeal by the said Member.

5.3 Any member who is in arrears of subscription for more than two (2) consecutive years' subscriptions after it has fallen due, shall cease to be a member of the Association.

5.4 Any member whose membership has ceased pursuant to Clause 6.1 may have the membership reinstated provided that he has paid his arrears within two (2) months from the date of cessation of membership.

5.5 Any member whose membership has ceased and is not reinstated under Clause 5.4 may reapply for Ordinary Membership in accordance with the provisions of Clause 4.2.

5.6 The Committee shall have the power to fix a re-entrance fee for any person who has allowed his membership to lapse through arrears.

CLAUSE 6 SOURCE OF INCOME

6. ENTRANCE FEE SUBSCRIPTIONS AND OTHER DUES

6.1 All Ordinary Members shall pay an entrance fee of RM50.00 being the registration fees for membership and an annual subscription fee of RM50.00 and any other fee at such rate as the AGM may from time to time determine.

6.2 The payment for annual subscription shall fall due on the 1st day of January of each year.

6.3 Any member who is in arrears of subscription for more than two (2) consecutive years' subscriptions after it has fallen due, shall automatically cease to be a member of the Association.

6.4 Any member whose membership has ceased pursuant to Clause 6.3 may have the membership reinstated provided that he has paid his arrears within two (2) months from the date of cessation of membership.

6.5 Any member whose membership has ceased and is not reinstated under Clause 6.4 may reapply for Ordinary Membership in accordance with the provisions of Clause 4.1.

6.6 The Committee shall have the power to fix a re-entrance fee for any person who has allowed his membership to lapse through arrears.

6.7 Special subscriptions or levies for any particular purpose may be raised from members by resolution of the general meeting of the Association. If any member fails to pay such subscription within such period as may be resolved, the amount due shall be treated as arrears of subscription to the Association and shall be treated in the same way as in Clause 6.3.



CLAUSE 7 GENERAL MEETING

7. GENERAL MEETING

7.1 ANNUAL GENERAL MEETING

(a) The supreme authority of the Association is vested in a general meeting of members voting during an AGM or EGM. Upon the conclusion of an AGM or EGM, the Committee shall organise and direct the implementation of all decisions made during an AGM or EGM.

(b) The quorum of Ordinary Members and Associate Members for an AGM shall be half (1/2) of the total Ordinary Members and Associate Members of the Association or twice the number of members in the Committee, whichever is the lesser. The Chairman of the AGM shall be the President or in his absence the Vice-President.

(c) If there is no quorum to hold an AGM half an hour after the time set for the meeting, the Committee shall postpone the meeting to another date not exceeding 30 days from the date of the AGM. If there is no quorum to hold the postponed AGM half an hour after the time set for the meeting, the Committee shall then proceed with the business of the AGM, provided that the Committee shall not make any decisions altering the rules and constitution of the Association or any decisions that will affect the members of the Association.

(d) The AGM of the Association shall be held immediately after the close of each financial year and not later than 31st March on a date, time and place to be decided by the Committee.

(e) The Secretary shall send to all members, a notice stating the date, time, place of meeting of the AGM including an agenda, copies of minutes, reports, and the audited accounts of the Association for the previous year at least fourteen (14) days before the meeting. Copies of these documents shall be made available at the registered address or place of meeting/business of the Association for the members.

7.2 EXTRAORDINARY GENERAL MEETING

(a) An EGM of the Association shall be convened either:

(i) at the request of the Committee when necessary; or

(ii) at the request of one-fifth (1/5) of the Ordinary Members in writing, stating the objects and reasons for such meeting.

(b) An EGM requested by Ordinary Members shall be convened within thirty (30) days from the date of such request.

(c) The Secretary shall forward the notice and agenda for the EGM to all members of the Association at least fourteen (14) days before the date fixed for the meeting.

(d) The quorum for an EGM shall be the same as with the requirement for an AGM as specified in Clause 7.1(b).

(e) If there is no quorum to hold an EGM half an hour after the time set for the meeting, the Committee shall postpone the meeting to another date not exceeding 30 days from the date of the EGM. If there is no quorum to hold the postponed EGM half an hour after the time set for the meeting, the Committee shall then



proceed with the business of the EGM, provided that the Committee shall not make any decisions altering the rules and constitution of the Association or any decisions that will affect the members of the Association. However, if there is no quorum from a postponed EGM that was requested by the Ordinary Members, that EGM shall be deemed cancelled, and no EGM shall be called for the same purpose until the lapse of at least six (6) months from the date thereof.

7.3 AGENDA FOR ANNUAL GENERAL MEETING

(a) The agenda shall include the following:

(i) The President's address;

(ii) To confirm the minutes of the previous AGM and/or EGM;

(iii) To receive, approve and to adopt upon approval the Committee's report on the condition and progress of the Association during the previous year;

(iv) To receive the Treasurer's report and the audited accounts of the Association for the previous year;

(v) To receive, approve and adopt upon approval the audited statement of accounts for the previous financial year;

(vi) To elect new Committee members and to appoint auditors for the ensuing 2 years; and

(vii) Any other business specified by the Committee on the Agenda.

7.4 PROCEDURE ON VOTING

(a) At any AGM or EGM only Ordinary Members shall be entitled to vote.

(b) Every Ordinary Member is entitled to one (1) vote for each resolution placed on the Agenda. Voting for each resolution on the Agenda shall be carried out by a show of hands of Ordinary Members present during the meeting. Every ordinary resolution shall carry upon a vote by the majority.

(c) Voting by proxy shall not be allowed. In the event that the voting results in a tie, the Chairman of the meeting shall cast an additional vote to break the tie.

7.5 PROCEDURE ON SPECIAL RESOLUTIONS

(a) An Ordinary Member may give notice to the Committee specifying his or her intention to propose a special resolution at any meeting.

(b) A special resolution shall carry at a first meeting by a vote of Ordinary Members with a majority of not less than three-fourth (3/4) and must be confirmed by a second vote by the majority at a second meeting held not less than fourteen (14) days but not more than one (1) month from the day of the first meeting.

(c) The Chairman of the meeting shall make a declaration that the special resolution has been carried out.

(d) Every special resolution shall be signed by the Chairman of the meeting and countersigned by the Secretary. A copy of the duly executed special resolution shall be sent to the Registrar of Societies.

7.6 MINUTES OF MEETINGS

(a) The Secretary shall forward to all members a copy of the draft minutes of the



annual general meeting or the extraordinary general meeting, as the case may be, as soon as possible after its conclusion.

(b) All issues raised and decisions made at the AGM and/or EGM shall be recorded in the Minutes Book which shall be signed by President and countersigned by the Secretary as soon as it is approved.

CLAUSE 8 COMMITTEE

8.1 COMMITTEE MEMBERS

8.1.1 The Committee shall consist of the following office bearers who shall be Malaysian Citizens, or non-citizens only if prior approval has been given by the Registrar of Societies, and shall be elected during an AGM:

- (a) A President;
- (b) A Vice-President;
- (c) A Secretary;
- (d) An Assistant Secretary;
- (e) A Treasurer;
- (f) An Assistant Treasurer; and
- (g) A minimum of two (2) Ordinary Committee Members.

8.1.2 Non-citizens office bearers must have prior approval from the Registrar of Societies.

8.1.3 The elected office bearers may co-opt not more than twenty (20) members as Ordinary Committee Members. All co-opted Ordinary Committee members shall be members of the Committee.

8.1.4 Candidates for office-bearers shall be proposed and seconded by Ordinary Members. The office bearers shall be elected by a simple majority vote by Ordinary Members during an AGM. All office-bearers shall be eligible for re-election each year.

8.2 FUNCTION OF THE COMMITTEE

The functions of the Committee are:

- (a) To organize and supervise the day to day activities of the Association;
- (b) To make decisions on matters affecting the running of the Association within the general policy laid down by the AGM; and
- (c) To furnish a report to each AGM on the Association's activities and programmes during the previous year.

8.3 ATTENDANCE, MEETINGS AND QUORUM OF THE COMMITTEE

8.3.1 Any member of the Committee who fails to attend five (5) consecutive meetings without giving a satisfactory explanation shall be deemed to have resigned from the Committee.



8.3.2 The Committee shall meet at least once every (3) three months, and before a meeting is held a notice shall be given to the members seven (7) days before the meeting. The President by himself or not less than three (3) members of the Committee together may call for a meeting of the Committee to be held at any time. The quorum for a Committee meeting shall be half (1/2) of the total Committee members.

8.3.3 Where any urgent matter requiring the approval of the Committee arises and it is not possible to convene a meeting, the Secretary may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision by the Committee is deemed to have been obtained:-

- (a) the issue must be clearly set out in the circular letter and forwarded to all members of the Committee;
- (b) at least half (1/2) of the total Committee members must indicate whether they are in favour of or against the proposal; and
- (c) the decision must be by a majority vote.

Any decision obtained by a circular letter shall be reported by the Secretary to the next meeting of the Committee and recorded in the minutes thereof.

8.4. RESIGNATION OF COMMITTEE MEMBERS

8.4.1 Any member of the Committee who wishes to resign may do so in writing to the Committee. In the event that the President, the Vice-President, the Secretary or the Treasurer shall resign, the Committee shall have the power to elect a member from the Committee by a simple majority vote to the office so vacated and such elected office bearers shall hold office until the next AGM.

8.4.2 In the event of a vacancy arising among Committee Members or death of a member of the Committee, the Committee shall have the power to co-opt a new member from among the Ordinary Members to fill the vacancy until the next AGM.

8.4.3 The Committee shall give instructions to the Secretary and other officers for the conduct of affairs of the Association. It may appoint such officers and such staff as it deems necessary. It may suspend or dismiss any officers or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Committee, or for any other reason which it deems good and sufficient in the interest of the Association.

8.4.4 The Committee may appoint any sub-committee for any purpose arising out of or in connection with any of the duties, functions and aims laid down under the rules. Any members can become members of these sub-committees.

CLAUSE 9 DUTIES OF OFFICE BEARERS

9. DUTIES OF THE OFFICE-BEARERS



9.1 The President

- (a) To keep the official seal (if any) of the Association;
- (b) To represent the Association in its dealings with parties outside the Association;
- (c) To preside over the AGM, EGM and all meetings of the of the Committee;
- (d) To have the casting vote and to sign the minutes of each meeting at the time they are approved; and
- (e) In conjunction with the Secretary or Treasurer, to sign all cheques on behalf of the Association.

9.2 The Vice-President

- (a) To assist the President in all his duties and to act on behalf of the President during his absence.

9.3 The Secretary

- (a) To arrange for and attend meetings in accordance with the rules;
- (b) To record and minute the proceedings of all meetings;
- (c) To prepare the Annual Report for submission to all members of the Association during the AGM;
- (d) To maintain records, papers, documents and keep membership registers of the Association;
- (e) To file annual returns within sixty (60) days from the date of the AGM to the Registrar of Societies; and
- (f) To sign correspondences on behalf of the Association.

9.4 The Assistant Secretary

- (a) To assist the Secretary in carrying out his duties and to carry out the relevant duties in the absence of the Secretary.

9.5 The Treasurer

- (a) To keep proper accounts of all monies received and expended;
- (b) To prepare and submit a Statement of Accounts at the Committee meetings;
- (c) To prepare a statement of Receipts & Payments and a statement of Assets & Liabilities to be audited by the Auditor and to be presented at the AGM; and



(d) To keep accounts of all financial transactions of the Association and shall be responsible for their correctness.

9.6 The Assistant Treasurer

(a) To assist the treasurer in carrying out his duties and to carry out the relevant duties in the absence of the Treasurer.

9.7 Ordinary Committee Members

(a) To carry out such duties as directed by the President or the Committee. Duties shall be decided from time to time by the Committee.

CLAUSE 10 FINANCIAL PROVISION

10. FINANCIAL PROVISIONS

10.1 The Financial year shall be from 1st January to 31st December of every calendar year.

10.2 Subject to following provisions hereunder, the Committee may expend funds from the Association for the purposes of carrying out and achieving the objectives of the Association and carrying out its activities including the expenses of its office bearers and paid staff and the audit of its accounts, but shall not on any account be used to pay any fines of any members who are convicted in a court of law.

10.3 The Committee shall have the power to raise funds to cover any deficit in the funds of the Association should its annual expenditure exceeds its annual income.

10.4 The Committee shall have the power to claim and collect any fees due from Ordinary Members of the Association.

10.5 The Association shall maintain a bank account in its own name. The Treasurer may hold petty cash not exceeding RM500.00 at any one time. In the event that the Treasurer receives more monies than the allowed amount, then the Treasurer shall deposit them in a bank account approved by the Committee within seven (7) days of receipt of the monies. The bank account shall be in the name of the Association.

10.6 All cheques issued from the bank account of the Association shall be signed by the Treasurer and countersigned by the President or the Secretary. In the absence of the President or the Treasurer or the Secretary for a long period, the Committee may appoint one of its members to sign in his place.

10.7 Any individual expenditure exceeding RM1,000-00 incurred at any one (1) time requires the sanction of or approval by the Committee. Any individual expenditure equal to or below RM1,000-00 at any one time may be incurred by the President



together with the Secretary or Treasurer. Any Capital expenditure of any amount requires the sanction of or approval by the Committee. Any individual expenditure exceeding RM5,000-00 incurred at any one (1) time requires the sanction of or approval by the general meeting. All payments exceeding RM500.00 shall be made out by cheque.

10.8 As soon as possible at the end of each financial year, a statement of Receipts, Payments and a Balance Sheet for the year shall be prepared by the Treasurer and audited by the Auditor. The audited accounts shall be submitted for approval during the next AGM. Copies of the audited accounts shall be made available to all members of the Association.

CLAUSE 11 AUDITORS

11. AUDIT

11.1 An Auditor shall be elected to be the auditor of the Association at every AGM. The elected auditor is eligible to be re-elected every year but shall not be a member of the Committee.

11.2 The duties of the Auditor duties are to audit the annual account of the Association and to present a report of the annual account before the members of the Association at every AGM.

11.3 The Auditor may also be required by the President to audit the accounts of the Association for any period within their tenure of office, at any date, and to make a report to the Committee.

CLAUSE 12 PROPERTY ADMINISTRATOR / TRUSTEES

12. TRUSTEE

12.1 Two (2) trustees, who must be over 21 years of age, shall be appointed at the annual general meeting and shall hold office during the pleasure of the Association. They shall be vested in them all immovable properties whatsoever belonging to the Association upon the execution of a Deed of Trust.

12.2 The Trustees shall not sell, withdraw or transfer any of the property of the Association without the consent and authority of a general meeting of members.

12.3 A Trustee may be removed from office by a general meeting on the grounds that, owing to ill health, unsoundness of mind, absence from the country or for any other reasons, he is unable to perform his duties or unable to do so satisfactorily. In the event of the death, resignation or removal of a trustee, the vacancy shall be filled by a new trustee appointed by a general meeting.

CLAUSE 13 INTERPRETATION



13. INTERPRETATION

13.1 The Committee shall have the discretion to interpret the rules of the Association in between the annual general meetings and determine on such matters or issues on which the rules are silent.

13.2 Save and except for any inconsistencies or anything contrary to the policies previously laid down in the last annual general meeting of the Association, all decisions of the Committee shall be binding on all members of the Association unless and until countermanded by a resolution of a general meeting.

CLAUSE 14 **ADVISOR / PATRON**

14. ADVISOR/PATRON

14.1 The Committee shall if it deems fit and necessary appoint qualified persons to be Advisor or Patron of the Association. The person appointed must give his consent in writing.

CLAUSE 15 **PROHIBITION**

15. PROHIBITIONS

15.1 The Association SHALL NOT:

- (a) Engage in any form of political activities;
- (b) Allow the following games in the premises of the Association: Roulette, Lotto, Fan Tan, Poh Peh Bin, Belangkai, Pai Kau, Tan Ngau, Tien Kow, Chap Ji Kee, Sam Cheong, Twenty One, Thirty One, Ten and a half, all games of dice, bankers games, all video games and any games of mere chance
- (c) Hold any lottery in the name of the Association or its office-bearers, committee or members;
- (d) Attempt to restrict or in any other manner interfere with trade or prices or engage in any Trade Union activities as defined in the Trade Union Ordinance, 1959; and
- (e) Receive any "Benefits" as mentioned in Section 2 of the Societies Act, 1966.

CLAUSE 16 **AMENDMENT OF CONSTITUTION**

16. AMENDMENTS OF THE RULES

16.1 Any amendments to this constitution shall be subject to the following:



(a) Any proposal to amend any Clause in this Constitution shall be forwarded to the Secretary in writing and shall be signed by the proposer and seconder who both shall be Ordinary Members of the Association.

(b) The Committee shall consider the proposal, and shall include the proposal in the agenda of the AGM or an EGM convened for that purpose.

(c) No decision to amend this Constitution shall be valid unless the proposal is approved by not less than two-thirds (2/3) of Ordinary Members present and voting at the AGM or EGM convened for that purpose. If the amendment is approved by the Ordinary Members during an AGM and/or EGM, the amendment shall be forwarded to the Registrar of Societies within twenty-eight (28) days after the meeting and the amendment shall not come into force until it has been approved by the Registrar of Societies.

CLAUSE 17 DISSOLUTION

17. DISSOLUTION

17.1 The Association may be voluntarily dissolved by a resolution passed by Ordinary Members of not less than three-fifths (3/5) of the total membership.

17.2 In the event the Association is dissolved, all debts and liabilities legally incurred by the Association shall be fully discharged, and the remaining funds shall be disposed of in such manner as may be decided upon at an AGM or EGM.

17.3 The Notice of dissolution shall be forwarded to the Registrar of Societies within fourteen (14) days of its dissolution.

CLAUSE 18 FLAG, LOGO AND BADGE

1. Flag



Description

Friendship and Harmony through divine knowledge

2. Logo





Description

Friendship and Harmony through divine knowledge

3. Badge



Description

Friendship and Harmony through divine knowledge

CLAUSE 19 OBLIGATIONS AND RIGHTS OF THE MEMBERS

19. OBLIGATIONS AND RIGHTS OF THE MEMBERS

19.1 Obligations of Ordinary Members

- (a) To pay fees and dues in accordance with this Constitution;
- (b) To abide by this Constitution and any resolutions which may be passed from time to time by the Committee; and
- (c) To attend meetings when notified.

19.2 Rights of Ordinary Members

- (a) To elect or be elected into the Committee;
- (b) To voice opinions at any Association meeting;
- (c) To vote on any issue raised at any Association meeting; and
- (d) To be entitled to all other privileges specified in this Constitution.

CLAUSE 20 BOOKS, REGISTERS OR RECORDS TO BE MAINTAINED

20. BOOKS, REGISTERS OR RECORDS TO BE MAINTAINED

20.1 The following documentation shall be maintained by the Association:

- (a) A register of all members of the Association (with details such as names, addresses, identity card numbers or passport numbers, date of admission as a member of the Association and date of termination of membership;
- (b) An account book showing all financial transactions of the Association;
- (c) A book for recording minutes;
- (d) A book recording of subscription fees paid by members; and



(e) Any other relevant books that are deemed by the Committee to be necessary.

