

IN THE NAME OF ALLĀH, MOST GRACIOUS, MOST MERCIFUL
JAMIATUL ULAMA SOUTH AFRICA
(COUNCIL OF MUSLIM THEOLOGIANS)

1. NAME

- 1.1 The name of the organization shall be Jamiatul Ulama South Africa (established in 1923 as Jamiatul Ulama Transvaal), hereinafter referred to as Jamiat.

2. FOUNDING PRINCIPLE:

- 2.1 The basis of all functions of the Jamiat will strictly be the **Qurân** and **Sunnah** of **Rasulullah Sallallāhu ‘alaihi wasallam** according to the interpretation and accepted view of the **Ahl as Sunnah Wal Jamā’ah**, as expounded by the four recognized *madhâhib* of jurisprudence. (Shafi’î, Hanafî, Mâlikî and Hambalî)
- 2.2 The Jamiat will be guided by the *maslak* of the founding ‘Ulamâ of **DARUL ULOOM DEOBAND**.

3. AIMS AND OBJECTS:

- 3.1 To enjoin what is right and forbid what is wrong (Amr bil Ma’rûf Wannahi ‘anil Munkar) and to foster the true **Aqâid (Principle Beliefs)** and **Practises** of the *Ahl as Sunnah Wal Jamâ’ah*.
- 3.2 To promote, develop and maintain religious, cultural, educational, social, economic, charitable services and general upliftment of mankind.
- 3.3 **To establish, protect and maintain *madâris, masâjid (mosques), musallâ, places of worship and Awqâf (Religiously Sanctified Trusts)* such as cemeteries and other Islamic Institutions of the Muslim Community.**
- 3.4 To expound the **Shariah (Authentic Islamic Law)** and to establish a **Darul Iftâ**.
- 3.5 To protect, preserve and promote the religious rights of the Muslims.
- 3.6 To further brotherhood and cooperation in the Muslim community and to co ordinate religious activity.
- 3.7 To protect the honour and interest of the Muslims.
- 3.8 To establish and maintain Islamic Social Order amongst the Muslims.
- 3.9 To protect the individual and collective rights of the Muslims.
- 3.10 To curb and combat (in the Muslim community) the undesirable and irreligious element.
- 3.11 To promote, develop and unify the Islamic Educational System in Southern Africa.
- 3.12 To print and publish Islamic Literature.
- 3.13 To represent or make representation for, or on behalf of the Muslim

community of South Africa.

- 3.14 To institute and maintain a treasury for Muslim Funds.
- 3.15 To co-operate with 'Ulamâ bodies and Muslim Institutions or Organisations having similar aims and objectives.
- 3.16 To protect, preserve and promote the Sunnah of Rasulullah *Sallallâhu 'alaihi wasallam*. (Ihyaa Ussunnah)
- 3.17 To render Islamic guidance and services in prisons, hospitals and other Institutions.
- 3.18 To collect and accept donations subscriptions, grants, gifts, legacies or loans from any permissible source and administer same for the furtherance of the objects of the Jamiat.
- 3.19.1 To receive, purchase, sell or exchange any rights, property, bond, securities, shares, movable or immovable properties for the Jamiat, provided such transactions falls within the purview of the Shariah.
- 3.19.2 The Jamiat has perpetual succession.
- 3.19.3 The Jamiat is able to hold property apart from its members.
- 3.20 To grant or subsidise scholarships or bursaries.
- 3.21 To assist financially or otherwise any Islamic and humanitarian cause, by establishing a relief fund to provide assistance to deserving families and/or causes in disaster areas anywhere in the world.
- 3.22 To interpret Islamic Law and give rulings in all Islamic matters as well as arbitrate in disputes between Muslims.
- 3.23 To purchase, take on lease or in exchange, hire or otherwise acquire any movable or immovable property and to construct, maintain, alter any houses, buildings or works necessary or convenient for the purpose of the Jamiat, in accordance with the objects of the Jamiat.
- 3.24 The activities carried on by Jamiat will be for the benefit of, or is widely accessible to the Muslim public at large.
- 3.25 The activities carried on by Jamiat will be for the benefit of, and readily accessible to the poor and needy.

4. SPECIAL CONDITIONS

- 4.1 Funds available for investment are only to be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investments of Funds) Act, 1984 or in securities listed on a licensed Stock Exchange as defined in the Stock Exchange Control Act, 1985 (Act No.1 of 1985) or in such other prudent investments in financial instruments and assets as the Commissioner for SARS may determine after consultation with the Executive Officer of the Financial Services Board and the Director of Non-Profit Organisations.
- 4.2 The Jamiat shall not have the power to carry on any business,

including, *inter alia*, ordinary trading operations in the commercial sense, speculative transactions, dividend stripping activities as well as the letting of property on a systematic or regular basis. The Jamiat may however continue letting the property presently owned, but may not utilise its funds to acquire further immovable property for purposes of deriving rental income therefrom.

- 4.3 The activities of the Jamiat shall be confined to the Republic of South Africa (including territories which formerly formed part of the Republic).
- 4.4 The Jamiat will not accept any donation which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in terms of section 18A of the Tax Act: Provided that a donor (other than a donor which is an approved public benefit organisation or an institution board or body which is exempt from tax in terms of section 10 (1) (cA) (i), which has its sole or principal object the carrying on of any public benefit activity) may not impose conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation.
- 4.5 The income and property of the Jamiat, derived, shall be applied solely towards the promotion of its main object and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, loans or otherwise to the members and/or officials of the Jamiat, or to any other person, provided that nothing herein contained shall prevent the payment in good faith of reasonable remuneration to any officer or servant of the Jamiat in return for any services actually rendered to the Jamiat.
- 4.6 No donor, member and/or any of their relatives shall receive any direct benefit from the funds or income of the Jamiat provided that this shall not preclude any needy or deserving person from receiving aid on merit in the normal course.
- 4.7 The Jamiat will on dissolution transfer its assets to a similar public benefit organisation which has been approved in terms of section 30 of the Tax Act.
- 4.8 The Jamiat will not carry on any business undertaking or trading activities, otherwise than to the extent that its gross income from all such business undertakings or trading activities do not in total exceed the greater of 15 percent of its gross receipts or R25 000 other than as may otherwise be allowable under section 30 of the Tax Act.
- 4.9 The Jamiat's undertaking or activities will be integral and directly related to its sole object and carried out or conducted on a basis

substantially the whole of which is directed towards the recovery of cost and which would not result in unfair competition in relation to taxable entities.

- 4.10 Any undertaking or activities of Jamiat, if not integral and directly related to its sole object, will be of an occasional nature and undertaken substantially with assistance on a voluntary basis without compensation.
- 4.11 At least 85 per cent of Jamiat's public benefit activities, measured as either the cost related to the activities or the time expended in respect thereof, will be carried out for the benefit of persons in the Republic, unless the Minister, having regard to the circumstances of the case, directs otherwise.
- 4.12 The Jamiat will submit to the Commissioner for SARS a copy of any amendment to its Constitution and any other pertinent documentation/information and complies with all reporting requirements in order to ensure that the Jamiat remains tax exempt. 85% of Jamiat's funds will be derived from donations, grants from any organ of state or foreign grants.
- 4.13 Jamiat will not knowingly be a party to, or does not knowingly permit, or has not knowingly permitted, itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is or was the reduction, postponement or avoidance of liability for any tax, duty or levy which, but for such transaction, operation or scheme, would have been or would have become payable by any person under the Tax Act or any other Act administered by the Commissioner for SARS.
- 4.14 The Jamiat will not pay any remuneration, as defined in the Fourth Schedule to the Tax Act, to any employee, office bearer, member or other person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.
- 4.15 The Jamiat will, in terms of section 13 (5) of the Non-profit Organisations Act, 1997 (Act No. 71 of 1997), comply with any other requirements imposed in terms of that Act, unless the Commissioner for SARS in consultation with the Director of Nonprofit Organisations designated in terms of section 8 of the Nonprofit Organisations Act, 1997 on good cause shown, otherwise directs.
- 4.16 The Jamiat has not and will not use its resources directly or indirectly to support, advance or oppose any political party.
- 4.17 The Jamiat will comply with all requirements set by the Minister of Finance from time to time as are relevant and applicable and which relate to the tax exemption provisions contained in Section

30 of the Income Tax Act 58 of 1962 in order to ensure tax exempt status.

- 4.18 The Jamiat will from time to time appoint at least three persons, who are not connected persons in relation to each other, to accept the fiduciary responsibility of Jamiat and in particular, no single person will directly or indirectly control the decision making powers relating to Jamiat.

5. MEMBERSHIP:

- 5.1 Membership of the Jamiat is open to all Sunni Muslims who adhere to and follow the Aqâid of the **Ahl as Sunnah Wal Jamâ'ah** as in articles 2.1 and 2.2.
- 5.2 Written application for membership signed by the applicant shall be made to the Secretary of the Jamiat.
- 5.3 The applicant will become a member upon approval by the Majlis al 'Âmila.
- 5.4 A member may be expelled by the Majlis al Tanfidh/ Executive Board upon the approval of the Majlis ash Shura.

6. MAJLIS ASH SHURA (BOARD OF TRUSTEES)

6.1 COMPOSITION:

The Majlis ash Shura shall consist of the following:

- 6.1.1 The Majlis ash Shura consists of at least ten (10) permanent 'Ulamâ members appointed by the Amîr.
- 6.1.2 Officials of the Majlis al 'Âmila who have served the Jamiat for at least 5 years and elected in terms of Paragraph 8.1.1 to 8.1.6.
- 6.1.3 One representative ('Âlim) nominated by and from each of the Branches established in terms of Paragraph 10 for a period of three (3) years. He should be an office bearer of that branch.
- 6.1.4 Three members of the Dar al Iftâ nominated by the Majlis ash Shura.

6.2 FUNCTIONS AND POWERS:

- 6.2.1 The Majlis ash Shura shall decide on all such matters as are referred to it by the Majlis al 'Âmila or the Amîr. The Majlis Al-Shura's decision will be final and binding.
- 6.2.2 The Majlis ash Shura shall approve of the nine (9) members nominated to serve on the Majlis al 'Âmila in terms of Paragraph 8.1.7
- 6.2.3 The nominated members of the Majlis ash Shura other than

the permanent members shall hold office for a period of three (3) years.

- 6.2.4 The Majlis ash Shura shall appoint the Muftis to serve on the Dar al Iftâ.
- 6.2.5 The Majlis ash Shura shall appoint the Heads of Department.
- 6.2.6 The property, estate and assets of the Jamiat present and future shall vest in the Majlis ash Shura for the time being in office, in trust for or on behalf of the Jamiat in terms of Islamic Law.
- 6.2.7 The Majlis ash Shura shall meet whenever considered necessary
- 6.2.8 The Majlis ash Shura shall deal with all such matters not provided for in this constitution but concomitant to the aims and objects of the Jamiat.
- 6.2.9 The Majlis ash Shura may expel any office bearer / member who in its discretion brings the Jamiat into disrepute or acts against the interests of the Jamiat.

6.3 MEETINGS

- 6.3.1 The quorum of meetings shall be one third of the members entitled to be present.
- 6.3.2 The Amîr of the Jamiat shall preside at all meetings of the Majlis ash Shura and in his absence any of the Nâib Amîrs of the Jamiat.
- 6.3.3 If and when these officials in Paragraph 6.3.2 are not available then an Amîr shall be elected from amongst those present to preside over the meeting.
- 6.3.4 Notice of Majlis ash Shura meetings shall be served not less than seven days prior to such meetings.
- 6.3.5 Any emergency meeting of the Majlis ash Shura may be called at notice of six (6) hours by telephone.

6.4 VACANCY:

- 6.4.1 Any vacancy arising in the Majlis ash Shura shall be filled by the Amîr of the Majlis ash Shura after consultation with the remaining members.

7. MAJLIS AL TANFIDH (EXECUTIVE BOARD)

The management and control of the Jamiat shall vest in the Majlis al Tanfidh

7.1 COMPOSITION:

The Majlis Al Tanfidh (EXECUTIVE BOARD) shall consist of the

following:

- 7.1.1 Officials of the Majlis al 'Âmila elected in terms of Paragraph 8.1.1 to 8.1.6.
- 7.1.2 The Amîrs of each of the Departments established in terms of paragraph 9.
- 7.1.3 The Amîrs of the Branches established in terms of paragraph 10.
- 7.1.4 Three members from the general membership of the Jamiat as nominated by the elected officials of the Majlis al 'Âmila and approved by the Majlis ash Shura after being duly constituted in terms of Paragraph 6

7.2 POWERS AND DUTIES:

The **Majlis Al Tanfidh** shall:

- 7.2.1 Execute the aims and objects of the Jamiat.
- 7.2.2 Subsidise, assist or remunerate any person employed or engaged by the Jamiat.
- 7.2.3 Establish, supervise and dissolve if necessary departments established in terms of Paragraph 9 and to define their functions, powers and composition.
- 7.2.4 Appoint sub-committees and ad-hoc committees from amongst its members, and to define their functions, powers and procedures. These sub-committees shall, from time to time, submit reports of their activities and actions to the members.
- 7.2.5 Establish, supervise and dissolve if necessary Branches in terms of Paragraph 10 for designated areas and to define their functions and powers.

7.3 MEETINGS:

- 7.3.1 The Majlis Al **Tanfidh** shall meet whenever considered necessary and shall meet at least once every month.
- 7.3.2 The quorum of such meetings shall be one third of the members entitled to be present.
- 7.3.3 The Amîr of the Jamiat shall preside at all executive meetings and in his absence any one of the two Nâib Amîrs.
- 7.3.4 If and when these officials in article 7.3.3 are not available, then an Amîr from among those present shall be elected to preside over the meeting.
- 7.3.4 Notice of Majlis al Tanfidh meetings shall be served not less than (3) three days prior to such meetings.
- 7.3.5 An emergency meeting of the Majlis ash Shura may be called at notice of six (6) hours by telephone.

8. MAJLIS AL 'ÂMILA (CONSULTATIVE ASSEMBLY):

The Majlis al 'Âmila shall serve as a consultative forum for the general membership which will guide the organisation in its decision making.

8.1 COMPOSITION:

The Majlis al 'Âmila shall consist of the following 'Ulamâ:

8.1.1 The Amîr.

8.1.2 Two Nâ'ib (Deputy) Amirs.

8.1.3 A General Secretary.

8.1.4 Two Assistant Secretaries.

8.1.5 A Treasurer.

8.1.6 An Assistant Treasurer.

8.1.7 Twenty (20) members from the general membership of the Jamiat as nominated by the elected officials of the Majlis al Tanfidh and approved by the Majlis ash Shura after being duly constituted in terms of Paragraph 6

8.1.8 Any additional members may be co-opted to the Majlis al 'Âmila as approved by the Majlis ash Shura.

8.1.9 The Amîrs of each of the Departments established in terms of paragraph 9.

8.1.10 One representative from each of the Branches established in terms of paragraph 10.

8.2 ELECTIONS:

8.2.1 The officials of the Majlis al 'Âmila (in terms of paragraph 8.1.1 to 8.1.6) shall be elected from amongst the 'Ulamâ members of the Jamiat.

8.2.2 The officials shall hold office for a period of three (3) years.

8.2.3 The outgoing members of the Majlis al 'Âmila shall be eligible for re-election.

8.2.4 Any vacancy arising shall be filled by the Majlis al Tanfidh and the member so appointed shall hold office for the remainder of the period for which his predecessor was appointed.

8.3 POWERS AND DUTIES:

The Majlis al 'Âmila shall:

8.3.1 Advance the aims and objects of the Jamiat.

8.3.2 Raise matters of concern and appoint sub-committees when and wherever necessary.

8.3.3 Receive reports of the various structures of the Jamiat and guide accordingly.

8.4 MEETINGS:

- 8.4.1 The Majlis al 'Âmila shall meet whenever considered necessary and shall meet at least once every two months.
- 8.4.2 The quorum of such meetings shall be one third of the members entitled to be present.
- 8.4.3 The Amîr of the Jamiat shall preside at all executive meetings and in his absence any one of the two Nâib Amîrs.
- 8.4.4 If and when these officials in article 8.4.3 are not available, then an Amîr from among those present shall be elected to preside over the meeting.
- 8.4.5 Notice of Majlis al 'Âmila meetings shall be served not less than (3) three days prior to such meetings.
- 8.4.6 Any emergency meeting of Majlis al 'Âmila may be called at a notice of six hours by telephone.

9. DEPARTMENTS:

The following departments shall be established in terms of Paragraph 7.2.3.

- Da'wah Wal Irshâd
- Ta'lim
- Dar al Iftâ
- Makûlât
- Hilâl
- Finance
- Social Welfare
- Public Relations
- Darul Qadha or Panchaayat (Shari Tribunal)

Such further Departments as the Majlis al Tanfidh shall from time to time decide.

9.2 POWERS AND FUNCTIONS

- 9.2.1 The The Majlis al Tanfidh shall define the powers and functions of each Department.

9.3 MEETINGS

- 9.3.1 The Departments shall meet whenever considered necessary and shall meet at least once every four (4) months.
- 9.3.2 Each Department shall formulate its own rules and procedures which shall be in accordance with the aims, objects and purpose of the Jamiat.

9.4 REPORTS

8.4.1 Each Department shall present a report of its activities at the Annual General Meeting of the Jamiat.

10. BRANCHES

10.1 The Jamiat may from time to time authorise the establishment or dissolution of the Branches in terms of Paragraph 7.2.5.

10.2 POWERS AND FUNCTIONS

10.2.1 The The Majlis al Tanfidh shall from time to time define the area of operation and the powers and functions of each Branch so established which shall be in accordance with the aims, objects and purpose of the Jamiat.

10.2.2 Financial matters of the branch will be regulated by the Finance Department.

10.3 MEETINGS

10.3.1 Each Branch shall formulate its own internal rules, regulations and procedures which shall be in accordance with the aims, objects and purpose of the Jamiat.

10.4 REPORTS

10.4.1 Each Branch shall present a report of its activities and finances at the Annual General Meeting of the Jamiat.

10.5 INDEMNITY

10.5.1 The Jamiat shall not be liable for any of the acts or omissions of any of the Branches.

11. ANNUAL GENERAL MEETINGS

11.1 The Annual General Meeting of the Jamiat shall be convened by giving at least twenty one (21) days' notice to members of such places and times as the Majlis al Tanfidh shall decide, provided that such meeting shall be held within not more than fifteen (15) months after the date of the last preceding such meeting of the Jamiat.

11.2 The Agenda for the Annual General Meeting shall be:-

11.2.1 To read the notice convening the meeting.

11.2.2 To read and confirm the minutes of the preceding Annual General Meeting, and to deal with matters arising there from.

11.2.3 To read and consider the Amîr's report.

11.2.4 To read and consider the Secretarial report.

11.2.5 To read and consider the Treasurer's report, together with the audited Income and Expenditure Account

- and Balance Sheet.
- 11.2.6 To read and consider correspondence, if any pertaining to the Annual General Meeting, at the discretion of the Amir.
- 11.2.7 To consider any motion of which notice has been given.
- 11.2.8 General.
- 1.2.9 Elections (if any).
- 11.3 One third of the persons eligible to vote shall form a quorum for such meeting.
- 11.4 If, within half an hour from the time appointed for the Annual General Meeting or a Special Meeting, a quorum is not present at the meeting, then it shall be adjourned to the same day in the following week, at the same time and place, and if at such adjourned meeting a quorum be not present within half an hour from the time appointed for such meeting, those members who are present shall form a quorum.
- 11.5 At all election meetings of the Jamiat, voting shall be by ballot. At all other meetings of the Jamiat, decisions shall be made by a majority of the members present in person by a show of hands, unless voting by ballot is directed by the Amir, or demanded by 25% (twenty five per centum) of the members present. The declaration by the Amir that a resolution has been carried or not, shall be final.

12. SPECIAL GENERAL MEETING

- 12.1 A Special General Meeting may be called by the Majlis al 'Âmila upon giving at least seven (7) clear days' notice upon receipt of a request for a Special General Meeting signed by at least one hundred (100) members giving their addresses and stating the purpose for which such Special General Meeting is desired. The Secretary shall then convene a meeting within one (1) month of the receipt of the requisition. At a Special General Meeting only the business for which such meeting was convened shall be discussed. One hundred (100) members shall form a quorum at such Special General Meeting. In the event of no quorum being present, the meeting shall be abandoned.
- 12.2 The Amir of the Majlis al 'Âmila may, if he considers it necessary, summon a Special Meeting by giving notice by telephone, telegram or otherwise, at least one day before the meeting.

13. RESCINDING OF RESOLUTIONS

- 13.1 No resolution passed at any meeting of the Jamiat, Majlis al 'Âmila or Majlis ash Shura shall be rescinded at any meeting unless seven

(7) day notice in writing of the intention to propose a rescission is given by a member to the Secretary. All such rescission requires a two-third majority of the members present.

14. FINANCES & BANKING ACCOUNTS=

14.1 All moneys of the Jamiat shall be deposited in a bank approved by the Majlis al Tanfidh and be operated by the following:-

- a) The Treasurer in conjunction with either
- b) The Secretary, or
- c) The Amîr, or
- d) The Nâib Amîrs, or.
- e) Assistant Treasurer, and/or
- f) whoso ever the above co-opt

14.2 The Treasurer shall keep detail records of the income and expenditure of the Jamiat and shall present the audited account and balance sheet of the Jamiat at the Annual General meeting.

15. INSPECTION OF BOOKS

15.1 Any member of the Jamiat shall be entitled, after written notice of not less than fourteen (14) days to the Secretary, to inspect the books and/or correspondence of the Jamiat, which shall remain the property of the Jamiat.

16. RIGHT TO INSTITUTE OR DEFEND ACTIONS

16.1 The Jamiat shall be able to sue or being sued in its own name.

16.2 Any legal processes shall be accepted or instituted on behalf of the Jamiat by the Amîr or Nâib Amîrs of the Majlis al 'Âmila.

17. VOTING:

17.1 All administrative matters shall be decided by a simple majority vote.

17.2 In the event of a tie the Amîr shall decide the outcome of the matter.

17.3 Election of the officials of the Majlis al 'Âmila shall be by ballot or voting.

17.4 There shall be no voting in matters of Shariah(Jurisprudence). The Fatwa (decree) of the Darul Iftâ of the Jamiatul Ulama Transvaal shall be final and binding.

18. AMENDMENTS:

18.1 Any amendment to the Constitution shall be submitted in writing to the Majlis ash Shura and if approved, then it shall be included in the agenda of any general meeting of the Jamiat.

18.2 Additions, alterations or amendments to the Constitution may not

be made otherwise than by a two-thirds majority of those entitled to vote at a Special or General Meeting, provided notice of such additions, alterations or amendments be given to the Secretary twenty one (21) days prior to the holding of such meeting.

- 18.3 The Secretary shall advertise the amendment fourteen (14) days before the holding of such meeting, in which circular the nature of the proposed additions, alterations or amendments shall be recorded.
- 18.4 One hundred (100) persons entitled to vote at such a meeting shall constitute a quorum. Under no circumstances will Paragraph 11.4 be applicable to this Clause.
- 18.5 A copy of all amendments to the Constitution shall be submitted to the Commissioner for Inland Revenue.

19. INTERPRETATION:

- 19.1 Any dispute arising from the interpretation of this constitution shall be resolved by the Majlis ash Shura.

20. INDEMNITY:

- 20.1 Every member of the Majlis ash Shura, Majlis al Tanfidh and Majlis al 'Âmila and any other officer of the Jamiat shall be and are hereby indemnified against any loss, expenses or damage, incurred in the discharge of or arising out of his duties. No member of the Majlis ash Shura, Majlis al Tanfidh and Majlis al 'Âmila or other officer shall be liable for acts, receipts, neglects and defaults of any member or for the joining in any receipt or other act of conformity or for any loss or expenses happening to the Jamiat through insufficiency or deficiency of any security upon which the money of the Jamiat shall be invested, and for any loss or damage arising from the insolvency, faulty act of any person with whom any monies securities or effect shall be deposited, or for any loss or damage or misfortune whatsoever shall happen in the execution of the duties of his office or in relation thereto, unless the same happen through his own dishonesty or wilful neglect.

21. DISSOLUTION

- 21.1 The Jamiat may be dissolved if a least two-thirds of the members present and voting at a Special General Meeting of those entitled to vote, convened for the purpose of considering such matter are in favour of dissolution. Not less than twenty one (21) clear days' notice shall be given of such meeting, and the notice convening the meeting shall clearly state the question of dissolution of the Jamiat and disposal of its assets will be considered. If there is no quorum present at such meeting, the meeting shall be abandoned.

- 21.2 Upon its winding-up, deregistration or dissolution, the assets of the Jamiat remaining after satisfaction of all its liabilities shall be transferred to charitable, ecclesiastical or educational institutions, within the Republic of South Africa which are themselves exempt from Income Tax and Donations Tax, in terms of Section 30 of the Tax Act, having objects similar to its main object to be determined by the members of the Jamiat at or before the time of its dissolution, or failing such determination, by the Court.
- 21.3 Sixty-five percent of membership shall form a quorum.

22. YEAR END

- 22.1 The Jamiat's financial year-end will be at the end of February every year.

We, the undersigned, hereby certify that the above is the Constitution of the Jamiatul Ulama South Africa adopted at the Annual General Meeting held at Lenasia on 15rd May 2011.

Chairman(Amir)

Secretary

Executive Member