

BY-LAWS

**of the Islamic Community
of North American Bosniaks**

I hereby certify that this is a true translation of the original document written in Bosnian language.

Sarajevo, 22 June 2015

*Court Certified Interpreter for English
Hercegljia Elmedina*

I – NAME OF THE ORGANIZATION

Article 1

The Islamic Community of Bosniaks is the highest religious community of all Bosniak Jamaats in North America who are its full members.

The name of the organization shall be : " THE ISLAMIC COMMUNITY OF NORTH AMERICAN BOSNIAKS".

Hereinafter, the abbreviated name shall be : " The Islamic Community of Bosniaks".

The official name shall be in English, as well as registered : " Islamic Community of North American Bosniaks", abbreviated " ICNAB".

Article 2

Islamic Community of Bosniaks is part of the Islamic Community in Bosnia and Herzegovina, which was established with the aim of fulfilling all spiritual and religious needs and obligations of Bosniaks in North America.

II- PURPOSES AND ACTIVITIES

Article 3

The primary purpose of the Islamic Community of Bosniaks shall be to provide the necessary conditions for performing Islamic religious obligations according to the Hanafi madhhab (the Law School) in Fiqh/practice, Maturidi interpretation in Aqidah/creed, which is in accordance with the Islamic tradition of Bosniaks.

Article 4

The sources of the Islamic regulations and laws shall be the Qur'an (holy book of the Islamic faith) and Sunnah (practice) of the Prophet Muhammed (p.b.u.h.), according to the interpretation of the scholar of the Ahlu Sunnah Wal-Jama'ah.

Article 5

The Islamic Community of Bosniaks shall protect authenticity of the Islamic norms and ensure their interpretation and application.

Article 6

The Islamic Community of Bosniaks shall take care of the Islamic education and upbringing and dedicate itself to the preservation of the values of marriage and family life.

Article 7

The Islamic Community of Bosniaks shall organize and support activities which improve social and living conditions of Muslims.

The Islamic Community of Bosniaks shall organize activities for acquiring, protecting and augmenting the property of the Islamic Community.

Article 8

The Islamic Community of Bosniaks shall establish and maintain contacts with other Islamic communities, institutions and organizations world-wide.

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The Islamic Community shall cooperate with other religious communities and organizations in activities which promote peace, justice and good-will among people.

Article 9

One of the objectives of the Islamic Community of Bosniaks shall be teaching the Muslim and Non-Muslim communities about the tolerant and peaceful concepts in Islam.

The Islamic Community of Bosniaks shall maintain an open dialogue with other religious organizations promoting Universal Peace and human rights with the aim of positive integration in the broader society through maintaining an open dialogue with other religious and cultural communities, regardless of race, religion, or color, land without discrimination based on beliefs as well as proclaiming the universality and comprehensiveness of religion and spirituality.

Article 10

Promoting extremist religious principles shall be rejected and any official of the Islamic Community elected or appointed who advocates any beliefs that are characterized as radical or controversial shall be adequately removed by the competent authority of the Islamic Community of Bosniaks in accordance with the normative acts.

Article 11

All religious ceremonies, in Jamaats that are members of the Islamic Community of Bosniaks, shall be led exclusively by the authorized religious persons.

Article 12

In order to prevent changing the aims of the Islamic Community of Bosniaks defined by these By-laws or anything considered as a violation of the same shall be canceled or eliminated by the competent authorities of the Islamic Community of Bosniaks.

The Islamic Community of Bosniaks shall continuously carry out humanitarian activities in the USA, Canada and where necessary.

The Islamic Community of Bosniaks shall establish the necessary infrastructure in order to be able to help everyone, especially orphans, widows, the sick and handicapped.

III – TYPE OF ORGANISATION

Article 13

The Islamic Community of North American Bosniaks was established in compliance with the State of Arizona Nonprofit Corporation Act, the USA, in order to achieve the objectives outlined in Article 4-10 of these By-laws.

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The principal office of the Islamic Community of Bosniaks is located at 13246 North 23rd Avenue, Phoenix, AZ 85029.

The Council shall decide for the change of the principal office upon the proposal of the Board of Directors.

Article 15

The Islamic Community of Bosniaks can at any time establish a branch or subordinate offices at any place or places where the organization shall act with its normative acts.

V- ORGANIZATION OF THE ISLAMIC COMMUNITY

THE JAMAAT

Article 16

The Jamaat is the basic organisational unit of the Islamic Community.

The Jamaat generally consists of a group of people who live in an area and are connected to each other in the performance of Islamic duties.

The Jamaat should consist of at least one hundred Muslim households, or less, if it is able to maintain itself financially.

Article 17

The membership within the Islamic Community of Bosniaks shall be defined by the Rules for admission of the Jamaats to the Islamic Community of Bosniaks.

Article 18

The organs of the Jamaat are the Jamaat Assembly and the Jamaat Board.

Article 19

The Jamaat Assembly consists of all members who perform their duties in the respective Jamaat.

The Jamaat Assembly shall elect the Jamaat Board, members of the Majlis Assembly, members of the Council of the Islamic Community of Bosniaks, and shall take important decisions concerning the organization of the Jamaat and Islamic religious life within the Jamaat.

Article 20

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The Jamaat Board shall provide the necessary conditions for religious life in the Jamaat.

Article 21

The president of the Jamaat Board shall represent the Jamaat in administrative and property matters.

Article 22

The Imam shall be a member of the Jamaat Board ex officio.

The Imam shall take care of religious life in the Jamaat, keep the registry book of the Jamaat and shall represent the Jamaat in religious matters.

The Imam has the right to veto any decisions that are contrary to Islamic regulations.

The Imam shall be appointed, transferred or dismissed by the Raisu-l-ulama upon the proposal of the Chief Imam.

Article 23

The Jamaats shall adjust their work with the Rules of Procedure of the Jamaats that are the members of the Islamic Community of the North American Bosniaks.

THE MAJLIS

Article 24

The Majlis is a higher organizational unit of the Islamic Community of Bosniaks, which comprises the Jamaats, which make a coherent whole of the region.

Article 25

The Council of the Islamic Community of Bosniaks shall take the decision about the establishment of a new Majlis or the merging of an existing upon the proposal of the Board of Directors.

Article 26

The organs of the Majlis are the Majlis Assembly, the Grand Imam and the Supervisory Board of the Majlis.

The Majlis Assembly consists of : the Grand Imam, all the Imams on a designed territory of the Majlis and other members according to the Rules on elections and mandates in the Islamic Community.

The Majlis Assembly shall:

- elect and candidate the members of the Board of Directors of Islamic Community of North American Bosniaks
- elect and candidate the members of the Board of Directors of the Majlis
- adopt the annual report on the activities of the Majlis

The Grand Imam shall be a member of the Majlis Assembly ex officio and shall preside over the work of the same.

The work of the Majlis shall be defined by the Rules of Procedure of the Majlis of the Islamic Community of Bosniaks.

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The Grand Imam shall take care about religious life on a designed territory of the Majlis and shall be responsible for the work of the Imams, the Khatibs and the Muallims on a designed territory of the Majlis.

The Grand Imam shall be appointed, transferred, dismissed by the Raisu-l-ulama upon the proposal of the Chief Imam.

The Supervisory Board of the Majlis shall coordinate and supervise the work of the Jamaat Assembly and give them instruction for the work.

Article 27

THE BOARD OF DIRECTORS OF THE ISLAMIC COMMUNITY

Article 28

The Board of Directors is the highest religious and administrative organ of the Islamic Community of Bosniaks.

Article 29

The Board of Directors consists of 9 members : the Chief Imam, the Grand Imam in front of each of the four Majlis and one member from among the ranks of members of the Jamaat in front of each Majlis.

Article 30

The Board of Directors shall form the following committees and bodies:

1. The Council of Imams,
2. The Fiqh Committee,
3. The Office for collection and distribution of the Zakat,
4. The Office for Hajj and Umrah,
5. The Office for religious and educational services,
6. The Office for the publishing activity
7. Other permanent and temporary committees or other bodies that may be required.

Responsibilities of all committees and bodies shall be regulated by a special Act passed by the Board of Directors.

Article 31

The method of election and the length of the mandate of the members of the Board of Directors shall be defined by the Rules of Procedure on elections and mandates of the Islamic Community of North American Bosniaks.

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Article 32

The work of the Board of Directors of the Islamic Community of Bosniaks shall be defined by the Rules of Procedure of the Board of Directors of the Islamic Community of Bosniaks.

THE COUNCIL OF THE ISLAMIC COMMUNITY OF BOSNIAKS

Article 33

The Council is the highest representative and the main legislative organ of the Islamic Community of Bosniaks.

Article 34

The responsibilities of the Council of the Islamic Community of Bosniaks shall be:

- to adopt the Constitution and other rules which regulate the organization and activities of the organs and institutions of the Islamic Community of Bosniaks,
- to adopt the regulations on the use of the flag and logo of the Islamic Community of Bosniaks,
- to provide the guidelines for the work of the organs and institutions, and for the management of the property of the Islamic Community of Bosniaks,
- to approve the budget and adopt the financial report of the Board of Directors of the Islamic Community of Bosniaks,
- to establish institutions and funds, and to approve the establishment of companies within the Islamic Community of Bosniaks,
- to verify the election of the members of the Board of Directors of the Islamic Community of Bosniaks,
- to appoint and dismiss the members of the Constitutional Court of the Islamic Community of Bosniaks.

Article 35

The Council of the Islamic Community has a President, a Vice President and a Secretary. The President, the Vice president and the Secretary shall be elected by the delegates of the Islamic Community of Bosniaks. The President of the Council shall preside at the meeting of the Council and call the same.

It is mandatory for the President of the Council to call a session of the Council of the Islamic Community of Bosniak upon a request either one quarter of the members of the Council , the Board of Directors of the Islamic Community of Bosniaks or the Chief Imam of the Islamic Community of Bosniaks.

Article 36

The members of the Council shall be the delegates who have passed the required admission procedure of the Islamic Community of Bosniaks. The Jamaats shall delegate the members of the Council on the basis of the Rules on elections and mandates of the Islamic Community of Bosniaks.

The agenda shall be adopted at the beginning of each meeting of the Council by the present members of the Council, more than half majority of the total number.

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Article 37

The annual general meeting of the Council shall be held every year at a certain time and place. A qorum of the Council meeting shall consist of more than half majority of the total number of the members of the Council.

Article 38

The proposed agenda of the meeting of the Council, regular and special, shall be determined by the President of the Council in consultation with the Board of Directors of the Islamic Community of Bosniaks.

Article 39

The invitation for the meeting of the Council will have to be submitted to the delegates at least 30 days before the meeting of the Council of the Islamic Community of Bosniaks.

The invitation should contain: the proposal of the agenda with materials, place, date and time of the meeting.

At special meetings shall be discussed only what is referred to as the purpose of convening the meeting

Article 40

The Council of the Islamic Community of Bosniaks may form permanent and temporary commissions.

The Council of the Islamic Community of Bosniaks shall form the following commissions and bodies:

1. The Waqf Head Office
2. The Constitutional Court
3. The Electoral Committee
4. Other permanent and temporary committees and other bodies as may be required.

Responsibilities of all committees and bodies in this Article shall be regulated by a special Act passed by the Council of the Islamic Community of Bosniaks.

Article 41

The members of the Council may resign at any time.

The resignation does not exempt the members of the Council of any obligation, expenses incurred, services or current benefits, debts, assessments or fees or anything that arises from a contract or some other ways and must need the right of the Islamic Community of Bosniaks to carry out any obligation or to win damages for the violation of the same.

VI- OFFICERS OF THE ISLAMIC COMMUNITY OF BOSNIAKS

Article 42

The officers of the Islamic Community of Bosniaks are : the Chief Imam, the Secretary/the Treasurer, the Grand Imams and the Imams.

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THE CHIEF IMAM

Article 43

The Chief Imam shall be the president of the Islamic Community of Bosniaks in administrative and religious matters.

The Chief Imam shall call and preside at the meetings of the Board of Directors.

The Chief Imam shall exercise powers and perform the duties regulated by the Statute and Rules of Procedure of the Board of Directors of the Islamic Community of Bosniaks.

The responsibilities of the Chief Imam shall be:

- to interpret the Islamic norms,
- to take care of protection of religious rights of Muslims,
- to supervise the work of the Grand Imams and Imams
- to propose the appointment, dismissal, transfer of the Grand Imams and Imams

Article 44

The Board of Directors may appoint and may approve the Chief Imam to appoint any other party for whose activities the Islamic Community of Bosniaks will have a need, which may have a title, an office for a certain period of time, authority, perform duties specified by the Statute or the Board of Directors from time to time.

THE SECRETARY

Article 45

The Secretary shall perform all administrative activities of the Islamic Community of Bosniaks.

The Secretary shall attend all meetings of the Board of Directors and its Committees and shall keep a book of minutes with the date and place of holding, and the names of those present at meetings of the Board of Directors and Committee meetings.

The Secretary is bound to manage duly the office and archival work of the Islamic Community of Bosniaks.

The Secretary will have to submit notice of all meetings required by these By-laws, and to keep the seal of the Islamic Community of Bosniaks in safe custody and will have other powers and duties as may be regulated by the Board of Directors.

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THE TREASURER

Article 46

The Treasurer shall keep records of all financial transactions of the Islamic Community of Bosniaks.

The Treasurer shall keep regular accounts in books in accordance with laws and regulations and make them open to the inspection as may be provided by the Rules of Procedure of the Board of Directors of the Islamic Community.

The Treasurer shall have the necessary powers to perform duties that are in the nature of his service.

All collected funds should be promptly deposited to the account of the Islamic Community of Bosniaks, in banks selected by the Board of Directors.

Duties of the Treasurer and the Secretary may be consolidated.

In the absence or disability of the Secretary or the Treasurer, the Assistants of the Secretary and Treasurer, if they have been previously appointed, shall have the powers to perform the duties of the absent.

THE GRAND IMAMS

Article 47

The Grand Imams shall perform their duties and functions in accordance with the Article 27 of these By-laws.

THE IMAMS

Article 48

The Imams shall perform their duties and functions in accordance with the Article 22 of these By-laws.

VIII- FINANCIAL COMPENSATION

Article 49

The Islamic Community of Bosniaks shall be able to reimburse the expenses incurred by any members, officials and parties on the basis of their own regulations on financial transactions.

Article 50

The Islamic Community of Bosniaks shall not reimburse the expenses incurred by any member unless such expenses have been authorized by the appropriate organ of the Islamic Community of Bosniaks.

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The Islamic Community shall not bear the expenses of the suspended members of the Islamic Community and their delegates.

IX- THE PROPERTY OF THE ISLAMIC COMMUNITY OF BOSNIAKS

Article 51

The property of the Islamic Community shall consist of the Waqf property, other properties and financial resources.

Article 52

The property of the Islamic Community may be used for the activities that are with reference to objectives of the Islamic Community and may not be used for other purposes.

Article 53

The property of the Islamic Community shall be consisted of:

- The Waqf property and other real estate and movable property,
- Regular fees,
- The Zakat, the Sadaqatu-l-fitr and the Qurban,
- The revenue of the organs and institutions of the Islamic Community that obtain profits,
- Endowments,
- Gifts, testaments as well as other possible income and donations.

Article 54

Each person, legal or natural, shall be able to establish a Waqf property in accordance with the Law of Shari'ah.

The Waqf is an inalienable endowment.

The Riyasat of the Islamic Community of Bosniaks shall approve the establishment of the Waqf for religious purposes and shall take decisions about exchange of the Waqf property upon the proposal of the Board of Directors of the Islamic Community of Bosniaks.

Article 55

The Waqf property shall be managed by the Waqf Head Office.

The Council of the Islamic Community of Bosniaks shall issue regulations concerning the organization and activities of the Waqf Head Office.

In managing of the Waqf property, the application of the rules of Waqfnama (the written testament of the Waqf-donor) and wasijet are obligatory.

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VII THE ELECTORAL SYSTEM

Article 56

Each member of the Jamaat who has reached eighteen years of age and who fulfills his or her duties in the Jamaat shall have the active and passive right to vote.

Article 57

Elections in the Islamic Community of Bosniaks shall be held by secret ballot from among more than one candidate.

The electoral commission is bound to reject the candidacy of any person who does not fulfill the conditions for election to the organs of the Islamic Community of Bosniaks.

The same person shall not be able at one and at the same time to perform duty in the representative and the executive organs of the Islamic Community of Bosniaks.

Article 58

The mandate of members of all collective organs shall be regulated by the Rules on elections and mandate.

The elected organs of the Islamic Community shall continue to perform their duties after the expiry of their mandate until the relevant elections confirm new organs.

Article 59

Office-holders in the representative and executive organs of the Islamic Community shall have the right to tender their resignation.

Office-holder in the organs of the Islamic Community shall be suspended or dismissed from their duties if it is established that:

- His conduct and actions are contrary to Islamic norms,
- He is contravening the regulations and decisions of organs of the Islamic Community,
- He is not performing the duties of the post to which he was elected or appointed,
- He is abusing his post,
- He is incapable to perform his duties.

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IX- OTHER PROVISIONS

Article 60

All instruments executed in the name of the Islamic Community of Bosniaks, including, but not limited contracts, agreements, purchase orders, notes, deeds, deeds of trust, mortgages, leases, security agreements, checks and drafts issued, endorsements of checks and drafts receives, certificates, applications and reports, shall be executed by one or more officers, employees or agents of the Islamic Community of Bosniaks as authorized by the Board of Directors.

Such authorization may be general or confined to specific instances.

Article 61

Unless the context otherwise requires, the general provisions, rules of construction, and definitions contained in the General Provisions of the Arizona Nonprofit Corporation Law and in the Arizona Nonprofit Mutual Benefit Corporation Law shall govern the construction of these By-laws.

Article 62

The fiscal year end of the Islamic Community of Bosniaks shall be December 31.

X- RECORDS AND REPORTS

Article 63

The Islamic Community of Bosniaks shall keep adequate and correct books and records of account, minutes in written form of the proceedings of the members of the Council, Board of Directors, Committees of the Board, and a record of its members, giving their names and addresses.

All such records shall be kept at the principal office of the Islamic Community of Bosniaks.

XI- AMENDMENTS

Article 64

These By-laws may be amended at any regular or special meeting of the Council, and the notice of the amendment must be sent to each member of thr Council not later than (30) days prior to such meeting.

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XII- ADDITIONAL PROVISIONS

Article 65

These By-laws shall be originally drawn up in Bosnian and English.

XIII- DISSOLUTION

Article 66

In the event of dissolution of the Islamic Community of Bosniaks, all assets shall belong to the Riyasat of the Islamic Community in Bosnia and Herzegovina.

XIV- CERTIFICATE OF SECRETARY

I certify that I am the acting Secretary of the Islamic Community of Bosniaks, a state of Arizona Nonprofit Religious Organization, and that these By-laws, consisting of thirteen (14), are the By-laws of this organization adopted by the Council on March 29, 2015, and that they have not been amended or modified since that day.

Muaz Redžić
Secretary

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