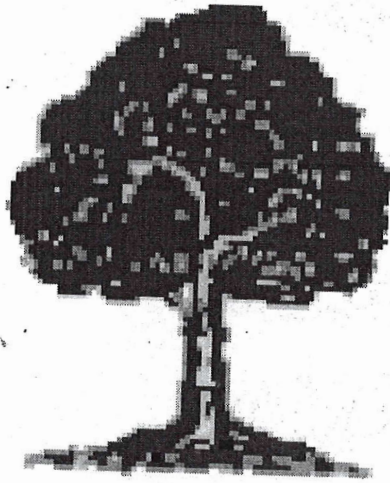


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**Constitution of the
SRI LANKA MUSLIM CONGRESS**

ADOPTED ON 12th February 2017

ACA MOHAMED MANSOOR
SECRETARY
Sri Lanka Muslim Congress
Dharussalam
51, Vauxhall Lane, Colombo - 02.

CHAPTER – I

1.1 SHORT TITLE AND DATE OF OPERATION

This may be cited as the Constitution of the Sri Lanka Muslim Congress and shall come into operation in respect of all or any of its provisions from the 12th February 2017 and shall for purposes of interpretation have retrospective effect.

1.2 NAME OF THE PARTY

The party shall be known and called as the “SRI LANKA MUSLIM CONGRESS” hereinafter referred to as the Party.

1.3 GUIDELINES OF THE PARTY

The Holy Qur’aan and the Traditions of the Holy Prophet shall be the supreme guidelines of the Party.

1.4 SYMBOL OF THE PARTY

The symbol of the Party shall be “Tree” as assigned by the Commissioner of Election, as appearing in the schedule hereto.

1.5 EMBLEM OF THE PARTY

The Emblem of the Party shall be an uncrossed crescent with a five-cornered star, as appearing in the schedule hereto.

1.6 FLAG OF THE PARTY


The flag of the Party shall be dark green in colour and rectangular in shape with the emblem and the symbol of the party appearing in the centre together with the words “*La-ilaha-illallaah Muhammadur-Rasoolullaah*” –in Arabic appearing at the top, as appearing in the schedule hereto.

1.7 PARTY ANTHEM

The anthem of the Party shall be the Party Hymn commencing with the words “*Bismillaah- hir-Rahma-nir-Raheem.*” The words and the music of which are as played at the 10th Annual Convention.

1.8 SECRETARIAT OF THE PARTY

The Secretariat of the Party shall be known as “DHARUSSALAAM” and be situated in Colombo.



CHAPTER – II

2. OBJECTIVES OF THE PARTY

- a. To foster and to safeguard the unity, sovereignty and territorial integrity of Sri Lanka.
- b. To uphold and honour the principles of democracy and fundamental human rights of the peoples of Sri Lanka.
- c. To strive to recognise and respect the distinct linguistic, cultural ethnic, and religious identities of the communities of Sri Lanka and promote friendship, peace and harmony amongst them.
- d. To work towards the re-establishment, promotion and the preservation of the rule of law.
- e. To preserve and ensure the Independence of the Judiciary.
- f. To seek solutions to the socio-economic and ethnic problems of Sri Lanka based on the tenets of Islam, and
- g. To preserve and promote the Shari'ah Laws and to encourage the members of the Party and others to adopt the entire Code of Shari'ah Laws in their private and community life.

CHAPTER - III

3.1 DECISIONS OF THE PARTY

The highest decision making body of the Party shall be the High Command and all decisions of the High Command shall be by consensus (*Mashoora*) and such decisions shall bind all the members of the Party.

3.2 SPOKESMAN

- a. The Leader of the Party shall be the Spokesman of the Party. The Leader may nominate and / or designate and / or authorize in writing any member of the Party to be the official spokesperson on any given subject.
- b. If any member of the Party expresses an opinion on behalf of the Party without specific authority, it shall be deemed to be misconduct and a serious violation of the Party discipline and such member shall be liable to be dismissed from the Membership of the Party.



3.3 SPECIAL POWERS OF THE LEADER OF THE PARTY

The Leader shall be entitled to the exercise of special powers within the spirit of this Constitution and such power inter alia shall include the following-

- a. Notwithstanding anything contrary to any other provision in this the Constitution including article 3.1 the Leader of the Party shall have, in exceptional circumstances, the power to take any disciplinary action against any member of the Party.
- b. Notwithstanding anything contrary to any other provision in this the Constitution including article 3.1 the Leader of the Party is free, in exceptional circumstances, to take any decision on behalf of the Party.
- c. Any such decision made in terms of (a) and / or (b) above by the Leader shall be communicated to the High Command of the Party.

CHAPTER - IV

MEMBERS OF THE PARTY

4.1 ELIGIBILITY

Any person who has attained the age of 15 years and is prepared:

- a. To accept and abide by the provisions of this Constitution;
- b. To accept and abide by the Rules and Regulations of the Party;
- c. To accept the objectives, policies and programme of the Party and
- d. To accept and abide by the Codes of Conduct of the Members of the Party.

is eligible to apply for the membership of the Party.

4.2 CATEGORIES OF MEMBERSHIP

a. Ordinary Members

Any person who is eligible in terms of Article 4.1 of the Constitution to become a member of the party may forward a duly complete application form together with the prescribed membership fees to the Party.

b. Life Members

An ordinary member on paying the prescribed Life Membership Fee to the Head Office Party Branch becomes a Life Member.



c. Special Members

High Command may grant membership of the Party to any person for any specific purpose and may confer upon such person in writing specific rights or privileges.

4.3 MEMBERS FEES

- a. Registration Fee and Annual Subscription for Ordinary Members is Rs 20/= (Rupees Twenty)
- b. Life Membership Fee is Rs 10,000/= (Rupees Ten Thousand)
- c. For all other categories of Members, the HC shall decide as regards the membership fee

4.4 LOSS OF MEMBERSHIP

- a. Any member of the Party who at any point of time is found to have lost one or more of the aforesaid fundamental characteristics set out in paragraph 4.1 shall ipso facto deemed to have lost his membership in the Party.
- b. Any member of the Party without the prior approval of the High Command of the Party and / or against the decision of the Party accepts office in the administration formed by any other Political Party and / or Political Alliance shall ipso facto deemed to have lost his membership in the Party.
- c. Any member of the Party who directly and / or indirectly makes an express pronouncement and / or by innuendo claims that he/she has left the Party and / or does not continue to be a member of the Party shall *ipso facto* deemed to have lost his / her membership in the Party.

4.5 MEMBERSHIP RULES

The High Command shall be the ultimate authority to formulate from time to time rules in respect of all categories of Membership and in all matters related to membership.

CHAPTER – V

5.1 DUTIES OF MEMBERS OF THE PARTY

The following shall *inter alias* hall be the duties of every member of the Party-

- a. Be loyal to the Party and shall recognise honour and submit to the authority of the hierarchy of the Party.
- b. abide by and honour the provisions of the Constitution, codes of conduct, decisions, rules, regulations, directives, policies and programmes of the Party as decided by the High Command,



- c. Propagate and defend in public the policies and programmes of the Party.
- d. Always conform to the standards laid down in the Code of Conduct of the Party.
- e. Regularly attend meetings and sessions of the various bodies and committees set up and / or recognized by the High Command.
- f. Be individually and collectively responsible for his conduct and shall also ensure that his conduct in no way affects the image or reputation of the Party.

5.2 COLLECTIVE RESPONSIBILITY AND BREACH OF DUTY BY A MEMBER OF THE PARTY.

Any member of the Party who –

- a. by an act or omission fails and or refuses to perform any one or more duties of a member and /or
- b. commits an act which is in conflict with and or not in conformity and or not consistent with any one or more duties of a member and/or
- c. Commits an act or omission which may be prejudicial to the interest and reputation of the Party or to the collective responsibility of the membership of the Party.
- d. Commits an act or omission which in the opinion of the High Command may be prejudicial to the interest and / or reputation of the Party and / or has brought disrepute to the Party and / or to the collective responsibility of the membership of the Party.

Shall be deemed to be guilty of misconduct and shall be liable to be summarily dismissed from the membership and expelled from the Party by the High Command.

CHAPTER – VI

6.1 PARTY BRANCHES

- a. The basic organisation of the Party shall be at the Village Level consisting of several branches constituted at GramaNiladhari Division level and / or Polling division level as appropriate in the circumstances of each local area to be determined by the High Command.

The High Command of the Sri Lanka Muslim Congress is free to define a Village from time to time taking into consideration the special features and demographic pattern of a geographical area.

- b. Party Branches may also be formed overseas where there are sufficient concentrations of expatriate Sri Lankans.

- c. The High Command of the Party shall formulate Rules and Regulations providing for the establishment of Party Branches, Provincial, District, village and Local Authority level Committees, Specialised Committees, Committees for Specific Programmes, Election and / or Nomination of Office bearers to all such branches and Committees including local area organisers and District Organisers.

6.2 PARTY BRANCH ORGANISATIONS:

The Party Organisations at local level may include:

- i. Village Central Committee
- ii. Electorate Central Committee,
- iii. District Central Committee, and
- iv. Any other branch organs as may be determined by the High Command of the Party.

The rules and regulations with respect to the establishment, the structure, the Office bearers, tenure of office of the office bearers, the governance and the implementation of Party activities of the above contemplated Branch Organisations and / or Committees shall be made by the High Command and Communicated to each such Branch Organisation and / or Committee.

CHAPTER VII

7.1 DELEGATES CONFERENCE

- a. The Party shall hold an Annual Delegates' Conference.
- b. The Party may also convene a Delegates' Conference for special purposes and such conference is designated as Special Delegates' Conference.
- c. The Annual Delegates Conference and/or the Special Delegates Conference summoned for that purpose shall be the supreme authority to amend and / or add to and / or repeal and / or replace the Constitution of the Party.
- d. Business of the Annual Delegates Conference shall include the address by the Leader, Report of the Secretary and the Treasurer of the Party.
- e. The interval between two Annual Delegates Conferences shall not exceed 14 months.
- f. The High Command may delegate its authority to a sub-committee to convene and facilitate the holding of the Annual Delegates Conference and / or the Special Delegates Conference.
- g. The High Command shall appoint a member to be the Secretary to the Delegates Conference who shall assist the Secretary of the Party in keeping of the records in respect of Delegates Conferences.



- h. The quorum for any Delegates Conference shall not be less than 1/3rd of the total number of delegates agreed upon by the High Command for that specific Delegates Conference.
- i. The High Command of the Party is authorised to grant an extension of the period between the successive Annual Delegates Conferences in appropriate circumstances and record in writing the reasons for granting such extension beyond the 14 months stipulated above. However, such extension / extensions shall not exceed a maximum period of 6 months.

7.2 COMPOSITION OF DELEGATES CONFERENCE

- a. The composition of the Delegates Conference shall be as follows;
 - i. Members of the High Command,
 - ii. Members of the Working Committee,
 - iii. A maximum of 500 representatives from local and / or branch level organs of the Party as determined by the High Command and
 - iv. A maximum of 250 persons as recognised by the Leader in consultation with the High Command to be nominated as delegates.
- b. The High Command shall however, have the authority to determine the maximum number of Delegates to participate at an Annual Delegates Conference or at a Special Delegates Conference.

7.3 WORKING COMMITTEE

- a. The Party shall have a Working Committee consisting of not more than 750 members of the Party and it shall be the representative body of the Annual Delegates Conference. The said 750 members may be made up of all local area organisers and the remainder to be nominated by the High Command to the Delegates for their ratification.
- b. The Members of the Working Committee shall be elected at the Annual Delegates Conference by the Delegates from amongst the members of the Party both present and not present at the Annual Delegates Conference.
- c. All members of the High Command including *ex officio* members shall be *ex-officio* members of the Working Committee.
- d. In addition to the above members the following members shall also be *ex-officio* members of the Working Committee:
 - i). All elected and / or nominated Members of Local Authorities (Municipal Councils, Urban Councils and Pradeshya Sabhas) representing the Party in such local authority bodies and accepted by the High Command to serve in the Working Committee



- ii). Specified number of Members from any Local Authority Area where no election has been held as determined and Nominated by the High Command as representing such local authority areas.
- e. The Working Committee shall meet at least once in three months to agree on the programme of implementation of Party's Policies as adopted by the High Command of the Party and to facilitate the activities of the Party at grass-root level.
- f. The Chairman of the party shall preside at the meetings of the Working Committee.
- g. The High Command shall have power to appoint the Secretary of the Working Committee.
- h. Any member of the Working Committee who fails to attend two consecutive meetings of the Working Committee without a valid reason in writing shall ipso facto be deemed to have vacated his / her membership in the Working Committee.
- i. The quorum of the Working Committee shall be one sixth (1/6) of its total membership.
- j. If a vacancy arises in the Working Committee between two Delegate Conferences the Leader of the Party shall be entitled to nominate any member of the Party to fill in such vacancy and notify the High Command of such nomination.

7.4 MAJLIS-E-SHOORA

- a. The leader in consultation with the High Command of the party may constitute an Advisory Council of the Party known as the *Majlis -E- Shoora* from among the past members of the High Command and / or the High Command who continue to be actively involved in Party activities.
- b. The *Majis-e-Shoora* shall formulate its own rules for the conduct of its-meetings with prior approval of the High Command.

CHAPTER VIII

8. HIGH COMMAND OF THE PARTY

- 8.1 The High Command shall be the Supreme Decision making body of the Party.
- 8.2 The membership of the High Command of the party shall not exceed 90 members.




8.3 The High Command of the party shall consist of-

a. Office bearers of the party to wit,

- i. The Leader
- ii. The Chairman
- iii. The Senior Deputy Leader
- iv. The Deputy Leader I
- v. The Deputy Leader II
- vi. The Deputy Leader III
- vii. The Deputy Leader IV
- viii. The Secretary
- ix. The Treasurer
- x. The President Majlis-e-Shoora
- xi. The National Coordinating Secretary
- xii. The National Propaganda Secretary
- xiii. The National Organiser
- xiv. Director International Affairs
- xv. Director Constitutional Affairs
- xvi. Director Affiliated Bodies
- xvii. Representative of the Ulema's Congress
- xviii. Director Political Affairs
- xix. The Deputy Chairman
- xx. The Deputy Secretary
- xxi. The Deputy Treasurer
- xxii. Deputy President Majlis- e-Shoora
- xxiii. Deputy National Co-ordinating Secretary
- xxiv. Deputy National Propaganda Secretary
- xxv. The Deputy National Organiser
- xxvi. Coordinator Political & Religious Affairs
- xxvii. Coordinator Education & Cultural Affairs
- xxviii. Coordinator Youth & Employment Affairs
- xxix. Coordinator Social Services & Disaster Relief


b. Fifty-one (51) members chosen by the Leader of the Party from among the members of the Working Committee. (In making such appointments the Leader of the Party may appoint such number of Members of Parliament, Provincial Council Members and members of Local Authorities deem necessary)

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- c. Ex officio members to wit, Secretaries of the Majilis-e-Shoora, Working Committee, and the Delegates Conference.
- 8.4 The High Command shall meet at least once in two months.
- 8.5 The High Command at its last meeting before the Annual Delegates Conference (mandatory High Command meeting) shall elect the office bearers of the party except the Secretary of the Party and the office bearer positions referred to in article 8.6 of the Constitution.
- 8.6 Leader of the Party shall have the authority to appoint the following office bearers-
- i. Coordinator Political & Religious Affairs
 - ii. Coordinator Education & Cultural Affairs
 - iii. Coordinator Youth & Employment Affairs
 - iv. Coordinator Social Services & Disaster Relief
- 8.7 Any member of the High Command who fails to attend three consecutive meetings of the High Command without a valid reason in writing shall cease to be a member of the High Command. However, the High Command, on an appeal made by such member may for valid reasons restore such membership.
- 8.8 The quorum of the High Command shall be one third (1/3) of its total membership, excluding *ex officio* members.
- 8.9 If a vacancy arises in an office bearer position or membership in the High Command between two Annual Delegate Conferences, the Leader of the Party shall have authority to appoint any member of the Party to fill the office bearer position or the membership in the High Command as the case may be and notify the High Command of such appointment.
- 8.10 **Secretary of the Party**
- a. The Secretary of the Party shall also serve as the Secretary to the High Command.
 - b. Leader of the Party shall have the authority to appoint the Secretary of the Party for a period not exceeding twelve (12) months.
 - c. High Command of the Party shall have the authority to remove the Secretary of the Party in appropriate circumstances.
 - d. Secretary of the Party shall not hold any elected or appointed (Parliament, Provincial Councils, Local Authority) membership during his tenure of office as Secretary of the Party.
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12

8.11 POWERS OF THE HIGH COMMAND INTER ALIA SHALL INCLUDE THE FOLLOWING

- a. To constitute, dissolve or reorganise any subcommittee, special committee or subordinate organisation or allied body of the Party and suspend the activities of such committee, organisation or body and to make rules of engagement and terms of references to such committees.
 - b. To nominate the candidate/candidates of the Party at Presidential, Parliamentary, Provincial Council, Local Authority or any other elections.
 - c. To interpret the provisions of the Constitution.
 - d. To provide for and to correct any error or mistake present in the Constitution.
 - e. To formulate, draft and enact Rules and Regulations from time to time as and when necessary.
 - f. To enact rules regarding allocation of functions and duties to the office bearers of the Party
 - g. To formulate from time to time may make its own rules and procedures on all matters in relation to the conduct of Party's affairs.
 - h. To nominate all officials of the Party.
 - i. To take disciplinary action against any member of the Party as provided for in the Constitution of the Party.
 - j. To exercise summary jurisdiction to dismiss any member of the Party from membership and expel such member from the party and / or to take any appropriate disciplinary action.
 - k. To issue all such directions as it may deem necessary with a view to providing for any such special and / or unforeseen circumstances not provided for in this Constitution.
 - l. To delegate any of its powers to any Special Committee appointed by the High Command consisting of members of the High Command and / or the High Command and / or other members of the Party for special and / or specific purposes. Such Committees may include:
 - i. Constitutional Affairs Committee
 - ii. Political Affairs Committee
 - iii. SLMC Parliamentary Committee
 - iv. Provincial Affairs Committee
 - v. Local Authority Affairs Committee
 - vi. Financial Affairs Committee
 - vii. Committee on General Administration & Party Structure
 - viii. Security Affairs Committee
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8.12 SPECIAL POWERS OF THE HIGH COMAND IN RESPECT OF DISCIPLINARY ACTION AGAINST ANY MEMBER OF THE PARTY

Where a member of the Party is deemed to be guilty of misconduct and is liable to be dismissed from the membership and expelled from the party, the High Command in its absolute discretion shall be entitled to adopt any procedure it thinks fit and proper in the circumstances. However, the High Command shall observe the rules relating to the Principles of Natural Justice in exercising such powers.

CHAPTER IX

9. PEOPLES REPRESENTATIVE COMMITTEE (PRC)

- a. There shall be a Peoples Representative Committee (hereinafter referred to as PRC) of the Party consisting of elected and or nominated or appointed members of Parliament, Provincial Council, Municipal Council, Urban Council, Pradeshya Sabhas and any other elected bodies.
- b. All members of the High Command shall be ex-officio members of the Peoples Representative Committee.
- c. Members of the Majlis -E-Shoora are free to attend any meeting of the Peoples Representative Committee.
- d. The Leader of the Party shall nominate one among the members of the Peoples Representative Committee to be its Secretary.
- e. Each member of the PRC shall subscribe to a special pledge of loyalty to the Constitution, Rules and Regulations of the Party every year.
- f. The PRC shall meet whenever necessary and such meetings shall be chaired by the Leader. In the absence of the Leader the most senior member of the High Command according to the hierarchy of the Party shall preside.
- g. The provisions of the Constitution, Code of Conduct and all decisions, resolutions and directives of the High Command, High Command and of the Party strictly bind members of the PRC.
- h. Any member of the PRC who wilfully contravenes or fails to comply with the provision of the Constitution, Code of Conduct and /or decisions, directives or resolution of the High Command, High Command and the of the Party shall be deemed to be guilty of misconduct and liable to be summarily dismissed and expelled from the membership of the party by the High Command.
- i. Any member of the PRC who refuses to subscribe to the Annual special pledge of loyalty shall be guilty of gross misconduct and shall be liable to be summarily dismissed and expelled from the membership of the party by the High Command

- j. Members of PRC shall always vote in Parliament, Provincial Council, Municipal Council, Urban Council, and Pradeshya Sabhas and in any other elected body in accordance with the mandate of the Party.
- k. Members of the Peoples Representatives Committee should conduct themselves at meetings of their elected bodies with a sense of collective responsibility and also should on all occasions speak in one voice at such meetings as per the decisions of the Party.

if the conduct of any member at such meetings of the elected body tantamount to breach of the provisions of the Constitution and /or bringing disrepute to the party it shall be deemed to be a serious offence which will make the member liable to be dismissed from the party after a summary inquiry by the High Command.
- l. Any member of the PRC who by his conduct, violates the accepted norms and general standards of party discipline shall be guilty of gross misconduct and shall be liable to be summarily dismissed and expelled from the membership of the Party by the High Command
- m. Any member of the PRC leaving the island, or being unable to attend the meetings of the elected body for any specific reason should get prior approval from the leader and / or the Secretary General of the Party. Failure to do so would result in disciplinary action being taken against such member.
- n. Any member of the PRC who, by his act or omission is found to be inefficient or incompetent by the High Command shall be liable to be summarily dismissed from the membership and expelled from the Party by the High Command.
- o. It shall also be the duty of the members of the PRC to consult the Party Leadership and /or respective Group Leader, to ascertain the stand of the Party in respect of any matter before casting, abstaining or taking any step at the time of voting in the elected body.
- p. Members of the PRC shall not take a stand against and /or not in conformity and/or not consistent with the policy of the Party.
- q. Any member of the PRC who fails and /or refuses to attend without valid reasons, two consecutive meetings of the PRC shall ipso facto be deemed to be guilty of misconduct and shall be liable to be dismissed and expelled from the Party by the High Command.

CHAPTER X

10. DIRECTORS

- a. The Leader may from among suitable members of the Party select and appoint Directors of the Party and assign to them specific functions.
- b. The Directors shall hold office so long they enjoy the confidence of the Leader.



CHAPTER XI

11. AFFILIATED BODIES

- a. The High Command of the Party may establish affiliated Organisations of the Party which may include the following:
 - i. The Ulema Congress
 - ii. The Undergraduates Congress
 - iii. The Youth Congress
 - iv. The Ladies Congress
 - v. The Teachers Congress
 - vi. The Farmers Congress
 - vii. The Liberation Workers Congress
 - viii. The Port Workers Congress
 - ix. The Traders Congress
 - x. The Professionals Congress
 - xi. The Ladies Congress
 - xii. The Ladies Youth Congress
- b. The provisions of the Constitution dealing with the formation of Party Branches will mutatis mutandis apply to organising the affiliated bodies of the Party. It is however mandatory that any Member of Affiliated Body should be a member of a Branch.

YOUTH CONGRESS

- 11.1. a There shall be established a Youth Congress of the Sri Lanka Muslim Congress and the Youth Congress shall be governed by and adheres to the policies and programmes of the SLMC.
- 11.1.b Youth Congress shall function as a body within the overall structure of the Party;
- 11.1.c Youth Congress shall have its governing Regulations endorsed by the High Command of the Party;
- 11.1.d Youth Congress shall be an integral part of the Party based on the political and ideological objectives of the Party;
- 11.2. **Objective of the Youth Congress**
 - a. Support the Party in all activities and promote and protect and propagate the policies and programmes of the Party especially among the youth generation.

- b. Strive and work for the educational, moral and cultural advancement of the youth;
- c. Promote gender equality in all spheres of life, especially amongst the youth;
- d. Promote among youth the spirit of solidarity, peace and friendship with all peoples of Sri Lanka and the rest of the world.
- e. Promote unity, reconciliation and patriotism among the youth of the country.

11.3 LADIES CONGRESS

- 11. 3.a There shall be established a Ladies Congress of the Sri Lanka Muslim Congress and the Ladies Congress shall be governed by and adheres to the policies and programmes of the SLMC.
- 11. 3.b Ladies Congress shall function as a body within the overall structure of the Party;
- 11.3.c Ladies Congress shall have its governing Regulations endorsed by the High Command of the Party;
- 11. 3.d Ladies Congress shall be an integral part of the Party based on the political and ideological objectives of the Party;
- 11. 3.e Objective of the Ladies Congress
 - a. Support the Party in all activities and promote and protect and propagate the policies and programmes of the Party especially among the women.
 - b. Strive and work for the educational, moral and cultural advancement women.
 - c. Promote among the Ladies the spirit of solidarity, peace and friendship with all peoples of Sri Lanka and the rest of the world.
 - d. Promote unity, reconciliation and patriotism among the women of the country.

CHAPTER XII

12.1 CONVENTIONS

- a. The Party may hold National Conventions of the Party as decided by the High Command of the Party.
- b. The Leader of the Party may honour members of the Party who have rendered special services to the Party at the National Conventions of the Party.

12.2 DISTRICT CONVENTION

- a. The Party may decide to hold District Conventions at selected Districts once in two years where members of the Party are honoured for their loyalty, service and dedication to the Party.
- b. At the District Conventions members of the Party are entitled to express their views on the policy and programme of the Party and it also affords an opportunity for the members of the party to get together.

CHAPTER –XIII

DISCIPLINARY ACTION BY SUMMARY PROCEDURE AND DISCIPLINARY COMMITTEE.

13.1 Where the High Command of the party is in receipt of any information or complaint, that a member of the Party has committed an act or omission which in its opinion-

- a. amounts to a failure and /or a refusal to perform any one or more duties of a member or is in conflict with and /or inconsistent with any one or more duties of a member and /or,
- b. prejudicial to the interests and reputation of the Party or the collective responsibility of the Party.

The member concerned is liable to be dismissed from the membership and expelled from the Party in terms of the Rules of the High Command in respect of Disciplinary actions.

13.2 The High Command shall exercise its summary jurisdiction as provided hereinbefore in respect of disciplinary action in respect of any of its members

13.3 The High Command may delegate its disciplinary powers to a smaller committee comprising of not less than three (03) members appointed by the High Command at appropriate circumstances.

13.4 a. Such Disciplinary Committees shall observe the rules of natural justice in exercising its powers and or in conducting its proceedings and or in arriving at decisions.

b. Decisions of the Disciplinary Committees shall be communicated to the High Command for appropriate decision by the High Command.

- c. Decisions on Disciplinary matters by such disciplinary Committees may include-
- i. Dismissal from membership of the Party.
 - ii. Suspension from membership of the Party.
 - iii. Imposition of fine not exceeding Rs. 10,000.00
 - iv. Admonition by the Leader before the Working Committee.
- d. Any member aggrieved by any of the decisions of such a Disciplinary Committee, may appeal in writing to the High Command for appropriate relief.

13.5 Any provision in this Chapter shall not be construed to debar the Leader from independently exercising his special powers in terms of Article 3.3 hereof and /or the High Command from taking disciplinary action independently in terms of Article 12 of the Constitution.

CHAPTER – XIV

PROPERTIES AND TRUSTEES OF THE PARTY

14.1 It shall be lawful for the Party to acquire and hold, take or give on lease or hire, mortgage, pledge, sell or otherwise dispose of any movable or immovable property and utilise the funds belonging to the Party for such purposes.

The Party funds shall not be used for this purpose except upon a resolution of the High Command. Deeds of transfer or other documents conveying title to such properties shall be executed in favour of the following office-bearers for the time being of the Party to wit:

- i. The Leader
- ii. The Chairman
- iii. The Secretary
- iv. The National Organiser
- v. The Treasurer

14.2 No individual member shall have any right or title to such properties of the Party.

14.3 The office bearers concerned and their respective successors in office shall hold title to such properties in trust for the Party.

14.4 The title to such properties shall devolve from time to time collectively upon persons holding or acting in such offices from time to time.



- 14.5 It shall be lawful and the right is hereby vested in such Trustees to deal with and to dispose of such properties in any manner from time to time in accordance with the recommendations of the High Command.
- 14.6 It shall be lawful for the incumbent Leader and/or the Secretary of the party to jointly and/or severally to sue to establish and/or recover and/or defend in respect of the properties of the Sri Lanka Muslim Congress and/or property rights that belong to the Sri Lanka Muslim Congress.

CHAPTER – XV

GENERAL

15.1 SPECIAL MEETINGS

Special meetings of the High Command, Working Committee or the Peoples Representatives Committee of the Party may be convened at the request of one-third of the members of the respective body for any special purpose.

15.2 EMERGENCY CONFERENCE AND MEETINGS

Emergency meetings of the High Command, Working Committee or the Peoples Representatives Committee of the Party may be convened at the request of the Leader and the Chairman or the Secretary of the Party.

15.3 RULES REGARDING SUMMONING AND HOLDING OF MEETINGS AND CONFERENCES OF THE PARTY

- a. Secretary to the Party shall summon the Annual/Special Delegates' Conference of the Party and the Mandatory High Command meetings of the Party on the written instructions of the Leader of the Party;
- b. Secretary to the Party shall summon the High Command meetings of the Party on the written/verbal instructions of the Leader of the Party;
- c. Meetings of the Working Committee of the Party shall be summoned by the Secretary to the Working Committee in consultation with the Leader of the Party.
- d. Meetings of the Peoples Representatives Committee of the Party shall be summoned by the Secretary to the Working Committee in consultation with the Leader of the Party.
- e. Any Annual/Special Delegates' Conference, High Command (including the Mandatory High Command), Working Committee and Peoples Representatives Committee meeting of the Party summoned or held without following the procedure set out above shall be deemed to be unconstitutional and therefore any decision or resolution passed thereat shall be deemed to be invalid and not binding on the members of the Party.
- f. The above Rules shall also apply to the summoning of emergency Conferences and Meetings of the Party.

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- g. Leader of the Party shall have authority to summon the Annual/Special Delegates Conference or High Command meetings including the Mandatory High Command meeting notwithstanding the procedure set out above and such meetings shall be deemed to be validly summoned and duly held.

15.4 Amendment to the Constitution


Director Constitutional Affairs in consultation with the Leader of the Party may submit proposal for the amendments to the Constitution of the Party if any, to the High Command and the High Command shall endeavour to discuss such proposals at least three weeks before the Annual/Special Delegates Conference.

15.5 QUORUM

The quorum for any meeting of any organ or organization of the Party unless it is specifically provided shall be one-third (1/3) of its respective total strength.

Provided however the quorum for any meeting of the Working Committee shall be one-sixth of its total strength as at the time of the meeting.

15.6 TRANSITIONAL PROVISIONS

- a. All persons appointed by the Leader of the Party including the Secretary of the Party subsequent to the Mandatory High Command held on the 11th February 2017 and the Annual Delegates Conference held on 12th February 2017 as the case may be shall be deemed to be duly appointed office bearer or a member of the High Command of the Party respectively.
 - b. Position of Secretary General of the Party shall cease to exist on the date of coming in to operation of the Constitution
 - c. For all purposes the person who was elected to the position of Secretary General of the Party at the mandatory High Command meeting held on the 11.02.2017 shall be deemed to be the duly appointed Secretary of the Party and hold such office in terms of the Constitution of the Party.
 - d. All decisions of the High Command and the Leader of the Party in force immediately before the date of operation of the Constitution shall continue in force unless the High Command of the Party or the Leader of the Party exercising powers vested by the Constitution otherwise decide.
 - e. All persons who are *ex officio* entitled to be members of the High Command by virtue of the provisions of the Constitution shall be deemed to be members of the High Command.
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15.7 INTERPRETATION

- a. CONSTITUTION: means the directive rules set out in this Constitution and includes all Rules and Regulations framed in terms of the provisions of this Constitution and all interpretations of this Constitution made from time to time by the High Command and the provisions of the Code of Conduct of the Party.
- b. PARTY: means the Sri Lanka Muslim Congress
- c. PARTY BRANCH: means the basic unit of the Party as determined by the High Command.

15.8 *CASUS OMISSUS*:

The High Command shall be entitled to take suitable decisions on all matters on which this Constitution is silent.

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