

THE TRUST DEED
FOR
AD-DEEN TAIHAPE ISLAMIC TRUST,
A CHARITABLE ORGANISATION

THIS DEED is made on the 11th day of August 2014

BETWEEN SAIFUDIN ABU of 4 Paradise Terrace, Taihape, New Zealand
SITI KHALIJAH MOHAMED of 4 Paradise Terrace, Taihape, New Zealand
SAIYAD HUSSAIN SHAH of 60D Rangitoto Road, Te Kuiti, New Zealand
MOHD NAJIB BIN OTHMAN of 1/9 Eulogy Place, Manurewa, New Zealand
HANIF PATEL of 1379 Dominion Road, Mount Roskill, New Zealand
(hereinafter called "the Trustees")

WHEREAS

- A The parties to this deed wish to establish a charitable trust ("the Trust") for the objects described in clause 4 of this deed and have agreed to provide TEN DOLLARS (\$10.00) to be held by them as trustees subject to the trusts hereinafter set forth, such sum together with any capital and income that arises therein to be referred to as ("the Trust Fund").
- B The parties have agreed to enter into this deed specifying the purposes of the Trust and providing for its control and government.
- C The parties are the founding members of this Trust.

1. **SHORT TITLE:** This Deed shall be cited as the deed of trust for Ad-Deen Taihape Islamic Trust, a charitable organisation.
2. **INTERPRETATION:** In this deed unless there be something subject of context inconsistent therewith

"Deed" means the Deed of Trust for Ad-Deen Taihape Islamic Trust, a charitable organisation.

"Executive Committee" as stipulated by the trustees.

"A Muslim" shall mean a person who truly believes in the oneness of Goad, Allah Subhanawatallah and in the absolute and unqualified finality of Prophethood of Muhammad Sallallahuwassallam, Peace be upon him and as the last of all prophets. The word "Muslim" shall be strictly construed to also define as person belonging to Ahli Sunnatul Jammah (Hanafi, Shafiee, Hambali and Maliki).

3. **NAME OF ORGANISATION:** The name of the organisation shall be Ad-Deen Taihape Islamic Trust.

4. AIMS AND OBJECTIVES OF THE TRUST:

The aims and objectives of the trust shall be

- a) To vigilantly maintain and apply the true Islamic Doctrines as contained in the Holy Quran and practices by the Holy Prophet Muhammad, Peace be upon him at all times.
- b) To preserve, promote, safeguard and propagate the welfare of the Muslims of the Trust.
- c) To advertise and maintain unity and friendship amongst and between Muslims and other communities of this country.
- d) To establish, own and manage schools, colleges and other institutions for the Muslim children, other children and adults.
- e) To ensure that practical steps are taken to advance or progress in the moral, material, social, economic and cultural life of all Muslims affiliated to this Trust with the main aim and objective of enabling them to attain and maintain their rightful and honoured place amongst the other races.
- f) To disallow the use of intoxicants, unprescribed drugs and other intoxicated drinks by Muslims.
- g) To manage, print and publish newspapers or articles, journals, periodicals, books and other leaflets which the Trust may think desirable to further its aims and objectives.
- h) To speak and make representations for and on behalf of the Muslim Community.
- i) To affiliate and cooperate with other Muslim organisations in advancing the cause of Islamic teachings.
- j) To purchase, take on lease, rent, exchange, hire or otherwise acquire property, real and personal and or any other rights, interests, or privilege, which may be necessary, expedient and or beneficial in any manner whatsoever for the purposes of the trust and to improve, manage, develop, sell, lease, mortgage, dispose off or turn into account or otherwise deal with all or any part of the property of the Trust.
- k) To borrow and raise money in such manner as the Trust may think fit and proper according to Islamic rules.
- l) To accept or give any gift or property whether subject to trusts or otherwise for any or more of the objectives of the trust.
- m) To conduct and perform all such Islamic acts and deeds as are incidental or conducive to the attainment of the objectives of the Trust.
- n) To abide by the New Zealand Law and Legislation.

5. **NATURE OF THE ORGANISATION:** The Trust shall always be a religious, educational, Islamic propagatory and charitable organisation of the Muslims.

6. **OFFICE BEARERS:** There shall be the following office bearers of the Trust, known as the Executive Committee;

- a) President
- b) Secretary
- c) Treasurer
- d) Members

7. **EXECUTIVITY:** The Executive shall co-opt other members to the Trust committee if the need arise. The procedure shall be that a proper motion shall be moved and passed by two thirds of the registered members of the Executives as per the Deed in a full meeting.

8. **TERMS OF THE OFFICE BEARERS:** The term shall be of an indefinite period unless or otherwise when the Executive loses confidence in any Trustee. The election of the office bearers shall be made through a General Meeting, whenever it is being held according to the Islamic law. The Executive is deemed to have relinquish his post when he is no longer a Muslim.

9. **DAILY OPERATIONS:** The trust is a non-profitable charitable organisation and shall run with the teamwork of the Trustees.

10. **FINANCIAL ISSUES:** Any income, benefit or advantage shall be applied to the charitable purposes of the Trust. No private pecuniary profit shall be made by any person involved in this Trust, except that:

- a) any Trustee or Member of the Executive Committee may receive full reimbursement for all expenses properly incurred in connection with the affairs of the Trust;
- b) the Trust may pay reasonable and proper remuneration to any Trustee in return for services actually rendered to the Trust;

11: **ACCOUNTS:** The Executive Committee shall keep fair accounts of all money received and expended. The Executive Committee shall as soon as practicable after the end of every financial year cause the accounts for that financial year to be audited by an accountant appointed by the Executive Committee for that purpose and the Executive Committee shall present the audited accounts to the annual general meeting of the Trust together with an estimate of income and expenditure for the current year.

12: **SIGNATORIES:** The President and the Secretary will be the authorised signatories for any withdrawal from the Trust bank account.

13: **ALTERATION OF RULES:** The Executive Committee may by consensus by supplemental deed make alterations or additions to the terms and provisions of this deed provided that no such alterations or additions shall detract from the exclusively charitable nature of the Trust or result in the distribution of its assets on winding up or dissolution for any purpose that is not exclusively charitable.

14: **DISPOSITION OF SURPLUS ASSETS:** On the winding up of the Trust or on its dissolution by the Registrar, all surplus assets after the payment of costs, debts and liabilities shall be given to such exclusively charitable organisation within New Zealand as the Executive Committee decides. If the Executive Committee is unable to make such a decision, it shall be disposed of in accordance with the direction of the High Court pursuant to section 27 of the Charitable Trust Act 1957.

15. **CONSENSUS OF AGREEMENT:** The Deed shall agree to all trustees and members contributions and act according to the unanimous decisions of the Trusts. No decision are to be made without the consent of the Executive Committee.

Signed on behalf of the Board of Trustees of AD-DEEN TAIHAPE ISLAMIC TRUST and dated on the 11th day of August 2014, at Taihape.



Saifudin Abu (President)