

THE CONSTITUTION

OF

MUSLIM LAWYERS'
ASSOCIATION OF NIGERIA

2018

(AS AMENDED)

PREAMBLE

WE, THE MUSLIM LAWYERS' ASSOCIATION OF NIGERIA HAVING FIRMLY AND SOLEMNLY RESOLVED TO ASSOCIATE IN UNITY AND HARMONY, DEDICATED TO THE PROMOTION OF ISLAMIC FAITH, PEACE AND SERVICE TO HUMANITY:

AND TO PROVIDE FOR OURSELVES A CONSTITUTION FOR THE PURPOSE OF PROMOTING SOUND RELIGIOUS AND PROFESSIONAL ETHICS AND WELFARE OF MEMBERS AND WELL BEING OF ALL PEOPLE ON THE PRINCIPLES OF ISLAM AND JUSTICE AND FOR THE PURPOSES OF CONSOLIDATING THE UNITY OF OUR MEMBERS:

DO HEREBY MAKE AND GIVE TO OURSELVES THIS CONSTITUTION.

CHAPTER 1

GENERAL PROVISIONS PART I

- S.1 (1) The Association shall be known as MUSLIM LAWYERS' ASSOCIATION OF NIGERIA (MULAN).
- (2) Subject to the provisions of the Glorious Quran and Hadith, this constitution is supreme and its provisions shall have binding force on all organs and members of the Association.
- (3) The Association shall be regulated and controlled in accordance with the provisions of this Constitution.
- (4) This Constitution shall be binding on all members of the Association and where any law, regulation or resolution of the Association at the National Executive Council, State Branches or otherwise is inconsistent with the provisions of this Constitution, the Constitution shall prevail and such law, regulation or resolution shall, to the extent of the inconsistency, be void.
- (5) In this Constitution unless otherwise expressly stated:
- (a) A word connoting the singular shall also mean the plural and *vice versa*.
 - (b) A word connoting the male shall also mean the female and *vice versa*.
 - (c) Trustee means the incorporated trustees of the Association.
 - (d) Association means the Muslim Lawyers' Association of Nigeria.
 - (e) National Council means the National Executive, Delegates from State Branches and such number of Senior Advocates of Nigeria appointed as Ex-officio members who are Muslims.

- (f) State Council includes members of the State Executive, State Delegates from Divisions, and such number of Senior Advocates of Nigeria appointed as Ex-officio members who are Muslims.
- (g) Division means State Branch Division.
- (h) General Assembly means the general or extra ordinary general meetings.
- (i) Official business relates to the business or decisions of the Association at all or any level
- (j) Lawyer means Legal Practitioner as defined in the Legal Practitioners' Act.

S.2 The Motto of the Association is "ALLAH IS THE BEST OF JUDGES"

- S.3
- (1) There shall be two councils of the Association- the National and State Councils.
 - (2) The States Branches shall have such number of executive members as the circumstances may permit.
 - (3) The headquarters of the Association shall be in the Federal Capital Territory, Abuja.

PART II

AIMS AND OBJECTIVES

- S.4
- (1) The aims and objectives of the Association shall include-.-
 - (a) To integrate the spirit and teachings of Islam and foster unity and cooperation among Muslim Lawyers.
 - (b) To inculcate the rules and ethics of the legal profession among members.
 - (c) To offer free legal services for the attainment of social justice in the nation and for the promotion of the cause of Islam.
 - (d) To promote the study, understanding and practice of Sharia among the Muslim Ummah at all levels.
 - (e) To promote excellence in legal service delivery and spirit of selfless service among mankind.
 - (f) To serve as coordinating body and a mouth-piece for all Muslims lawyers and engage in national discourse on issues affecting Islam.
 - (g) To award scholarship for excellence to deserving persons.

- (h) To promote the feelings of brotherhood, religious, educational, moral and socio-economic advancement among all Muslim legal practitioners.
- (i) To settle conflicts or disputes among members.
- (j) To organize public enlightenment programmes through conferences, seminars, workshops, lectures, exhibitions, publication and adverts.
- (k) To encourage the study of the Glorious Quran, Hadith and Arabic language amongst members.
- (l) To confer, consult and cooperate with sister bodies, or associations having similar objectives with the body.
- (m) To publish and distribute periodicals, magazines, books and other writings which shall enhance the process of the achievement of the Islamic religious way of life and foregoing objectives of the Association.
- (n) To engage in charitable activities to all that deserve without discrimination.

CHAPTER 2

ORGANS OF THE ASSOCIATION

PART I

- S.5 (1) The Association shall have the following organs:
- (a) General Assembly for Annual General Meeting.
 - (b) The National Executive Council (National Officers).
 - (c) The National Executive Committee (NEC).
 - (d) The Registered Trustee.
 - (e) General Meeting for States.
 - (f) The Executive Committee of State Branches.

PART II

THE BOARD OF TRUSTEES

RULES, REGULATIONS AND APPOINTMENT OF TRUSTEES

S.6

- (1) For the purpose of the Companies and Allied Matters Act CAP C20, LFN 2004, part C, the person eligible as a trustee of **MUSLIM LAWYERS' ASSOCIATION OF NIGERIA** shall be a person of good character and shall be elected at a General Meeting of the founding Members each by votes of not less than 2/3 of the Members present.
- (2) Such Trustees hereinafter referred to as "THE TRUSTEES" shall not be less than two (2) or more than ten (10) in number. They shall be known and addressed as the INCORPORATED TRUSTEES OF MUSLIM LAWYERS' ASSOCIATION OF NIGERIA.
- (3) The Trustees may hold office for life but a Trustee shall cease to hold office, if he/she
 - a. Resigns his/her office.
 - b. Ceases to be a member of the **MUSLIM LAWYERS' ASSOCIATION OF NIGERIA**
 - c. Becomes insane.
 - d. Is officially declared bankrupt.
 - e. Is convicted of a criminal offence involving dishonesty by a Court of competent jurisdiction.
 - f. Is recommended for removal from office by a two-third-majority vote of members present at any General Meeting of MUSLIM LAWYERS' ASSOCIATION OF NIGERIA.
 - g. Ceases to reside in Nigeria.
- (4) Upon a vacancy occurring in the number of Trustees, a General Meeting will be held to elect another eligible member(s) of **MUSLIM LAWYERS' ASSOCIATION OF NIGERIA** as Trustee(s).
- (5) The Trustees shall apply to the Registrar-General, Corporate Affairs Commission for a Certificate of Incorporation under the Companies and Allied Matters Act 1990.
- (6) If such certificate is granted, the Trustees shall have power to accept and hold in trust, all lands and properties belonging to the **MUSLIM LAWYERS' ASSOCIATION OF NIGERIA** and to acquire lands and properties on behalf of the Association subject to such conditions as the Corporate Affairs Commission may impose.

- (7) There shall be vested in the Trustees all the properties of **MUSLIM LAWYERS' ASSOCIATION OF NIGERIA** including cash which will be controlled as hereinafter provided.
- (8) The Trustees shall keep an inventory of all properties and equipments of **MUSLIM LAWYERS' ASSOCIATION OF NIGERIA**.

APPOINTMENT OF EXTERNAL AUDITORS

S.7

- (1) External Auditors shall be appointed by the General Meeting to audit the books of account of the Association annually.
- (2) The appointed External Auditors shall submit reports and findings to the President who shall present it to the General Meeting.

PART III

COMMON SEAL

- S.8 (1) The Association shall have a common seal which shall bear the Name and Logo of the Association.
- (2) The common seal shall be kept in the custody of the Secretary of the Association.
 - (3) All documents to be executed shall be signed by the authorized official and common seal affixed thereto.

PART IV

THE NATIONAL EXECUTIVE COUNCIL

- S.9 (1) The National Executive Council shall comprise of National Executive Officers and all the Chairmen and Secretaries of State Councils including FCT, Abuja, all past Presidents and all past Secretaries General of the Association.
- (2) The National Executive Council shall have the power to do the following:
 - (a) To monitor compliance with the aims and objectives of the Association.
 - (b) To entertain and investigate complaints against the State Executives and impose necessary sanctions.

- (c) To organize annual General Assembly of the Association through the National Executive Council;
 - (d) To approve a standard of behavior, ideals and standing orders for all the state branches, provided that the National Executive Council may delegate any of its powers and functions to the state branch.
- (3) There shall be for the National Executive Committee (NEC) the following officers:
- (a) All National Officers
 - (b) All Past Presidents
 - (c) All Past Secretary General
 - (d) Chairmen and Secretaries of all States Executive including FCT. Each member states shall be represented by 4 delegates comprising of Chairman, Secretary and 2 other persons. Each state shall be responsible for determining the criteria for producing its own delegates.
 - (e) And such number of co-opted members to be determined by NEC.
- (4) There shall be a National Executive Council, which shall consist of only National Officers.
- (5) The National Officers shall consist of the following:
- (a) The President.
 - (b) The Vice President I
 - (c) The Vice President II.
 - (d) The Secretary General.
 - (e) First Assistant Secretary.
 - (f) Second Assistant Secretary.
 - (g) Treasurer.
 - (h) Financial Secretary.
 - (i) Assistant Financial Secretary.
 - (j) Publicity and Social Secretary.
 - (k) Public Relations Officer
 - (l) Auditor.

- (6) The National Executive Council shall perform the following Functions:
- (a) Shall implement all policy directives.
 - (b) Administer the day to day affairs of the Association.
 - (c) Carry out directives of the National Executive Committee and the Trustees.

PART V

POWERS AND FUNCTIONS

- S.10 (1) THE PRESIDENT shall be the Chief Executive Officer of the Association and shall:
- (a) Be responsible for proper conduct of all meetings of the Association.
 - (b) Preside over the executive and general meetings of the Association.
 - (c) Represent the interest of the Association whenever and whenever necessary in matters affecting the Association.
 - (d) Summon meetings; give directives to the Secretary General.
 - (e) To give approval for all expenditure.
 - (f) Sign Cheques and be co-signatory to the Accounts of the Association and
 - (g) Appointment of members into all Committees provided by this constitution in consultation with other National Officers.
- (2) THE 1st VICE PRESIDENT shall perform the duties of the President in the absence of the latter and in addition:
- (a) Shall perform other duties assigned to him by the President or the National Executive Council.
 - (b) Shall assist the President in his duties:
- (3) THE 2ND VICE PRESIDENT shall perform the duties of the 1st Vice President in the absence of the latter and also assist the President.

(4) THE SECRETARY GENERAL shall be the administrative head of the Association and in addition:

- (a) Shall record the proceedings of the meetings of the Association
- (b) Shall keep and supervise the keeping of records and secretarial books of the Association.
- (c) Shall submit reports of the activities of the Association to the NEC and the General Assembly of the Association
- (d) Shall receive complaints from members of the Association.
- (e) Shall deal with correspondences of the Association
- (f) Shall perform all secretarial and administrative duties as may be assigned to him by the association.
- (g) Shall keep records of minutes of the Council's Meetings; and
- (h) Shall counter sign cheques of the Association.

(5) THE 1st ASSISTANT SECRETARY GENERAL shall perform any secretarial and other duties that may be delegated to him by the Secretary and in addition shall assist the Secretary in the discharge of his duties.

(6) THE 2ND ASSISTANT SECRETARY GENERAL shall perform the duties of the First Assistant Secretary in the absence of the later and also assist the Secretary in discharge of his duties.

(7) THE TREASURER shall receive monies on behalf of the Association and shall issue receipts for all sums of monies received by him and in addition:

- (a) Shall keep the imprest account as may be directed by the council.
- (b) Shall deposit all monies collected on behalf of the council into the Association's account within 48 working hours.
- (c) Shall be a principal signatory to the Association's Account.
- (d) Shall with the, concurrent approval of the President and Secretary General in writing, make payments and settle outstanding financial commitments.

- (8) THE FINANCIAL SECRETARY shall collect all monies and pay to the Treasurer within 24 hours and shall in addition:
- (a) Operate a ledger book.
 - (b) Give account of all monies collected and names of defaulters (if any), at every NEC and General Assemblies.
 - (c) Shall keep proper accounts of income and expenditure of the Association
 - (d) Shall keep the entire relevant books (i.e.) cash book, receipt book, ledger, journal and such other books as may be directed by the council.
- (9) THE ASSISTANT FINANCIAL SECRETARY shall perform the duties of the Financial Secretary in the absence of the latter and shall perform any such duties that may be delegated to him by the Financial Secretary and in addition thereto shall assist the Financial Secretary in the discharge of his duties.
- (10) THE PUBLICITY SECRETARY shall be responsible for publicizing the activities of the Association and shall:
- (a) Be the link between the Association and the public.
 - (b) Organize all activities and social events of the Association.
 - (c) Be the logistics officer of the Association.
- (11) THE AUDITOR shall audit all the Association's books of account every six months and in addition:
- a. Shall from time to time send audited reports to the National Executive Council.
 - b. Shall present to the annual General Assembly, the Annual audited Account of the Association;
 - c. Shall carry out other functions as may be assigned to him from time to time by the National Council.

PART VI

THE STATES EXECUTIVE COMMITTEE

S.11 (1) The State Executive committee shall consist of selected representatives

(2) The State Branch shall consist of registered members of the Branch

(3) The State Executive Committee shall have the power to do the following:-

- (a) To make recommendations for approval of the National Executive Council
- (b) To entertain complaints against members, officials or trustees and forward such complaints to the National Executive Council.
- (c) To make bye laws for its members subject to ratification of NEC.
- (d) To organize seminars, symposia and workshops in furtherance of the Association's objectives;
- (e) To perform all other functions as may be delegated or approved by the National Executive Council, and;
- (f) To solicit for financial assistance to carry out and promote its functions.

S.12 (1) The State Branch shall have Chairman and the Vice Chairman I and II instead of President and Vice President 1 and 11.

(2) Save as provided in sub (1) the executive positions at the State Branch shall be similar to that of the National Executive Council.

PART VI

SECRETARIAT

S.13 (1) The Association shall have its National Secretariat at Federal Capital Territory, Abuja.

(2) There shall be an Administrative Secretary who shall be responsible for the day to day running of the secretariat under the supervision of the Secretary General and the overall direction of the President.

CHAPTER 3

TENURE AND CESSATION OF OFFICE

- S.14 (1) Save as herein-after provided, the tenure of office of all selective posts of the Association shall run for a period of two years. Such candidate may be re-nominated for another term of two years and no more except for selection into another office.
- (2) A person shall not be eligible for selection to any position in the Executive at any level, having served under such executive for more than four consecutive years (two tenures).
- (3) Any officer shall cease to hold office if:
- (a) He resigns his membership of the Association.
 - (b) He resigns from office.
 - (c) He becomes insane or incapacitated.
 - (d) He is found guilty of any criminal offence involving dishonesty by a competent court.
 - (e) He absents himself from three consecutive general and National Executive Council meetings without good reasons.
 - (f) He is officially declared bankrupt.
 - (g) He fails to carry out his duties as stipulated by this Constitution.
 - (h) And generally if he does any act, suffers any disability which if he was a trustee of the Association would have disqualified him from his position.
- (4) Upon a vacancy in the National Executive Council, another member shall be selected at the next General Assembly of the Association.

CHAPTER 4

MEMBERSHIP

- S.15 (1) The Muslim Lawyers' Association of Nigeria shall be a National Association consisting of members from the States Branches, and the Federal Capital Territory.
- (2) Any person willing to join the Association shall first obtain the membership form from the state branch.
- (3) A person shall be eligible to be member of the Association if:

- (a) He is a Muslim and
 - (b) Has been called to the Nigerian Bar.
- (4) A person shall cease to be a member if he ceases to be a Muslim and or a Legal Practitioner.
- (5) Each State Branch shall keep a register of its, members and shall send the list to the state executive committees which shall cause a copy thereof to be sent to the National Executive Committee.

CHAPTER 5

COMMITTEES

S.16 (1) There shall be the following Standing Committees:

- i. The Code of Conduct & Disciplinary Committee of the Association.
- ii. Selectoral Committee (Shura).
- ii. Any other Committee.

(2) The Code of Conduct committee shall be set up by the National Executive Council to investigate any complaint about:

- (a) Any member.
- (b) A trustee, National officer or member who resigns under questionable circumstances.

(3) Upon receipt of the report of the Code of conduct & Disciplinary Committee, the National Executive Council shall present same to the General Assembly for final decision.

(4) The Code of Conduct & Disciplinary Committee shall investigate complaints and may recommend among other things, removal, resignation or dismissal of a member, trustee or National officer of the Association who is found wanting.

(5) The Selectoral Committee (Shura) shall be an ad-hoc committee and shall be responsible for the smooth conduct of selection into the Executive Council of the Association.

- (6) (a) Selection into Executive positions shall be conducted every 2 years.
- (b) Selection shall be conducted by simple convention procedures and/or simple regulations put in place at a General Meeting.
- (c) Bye- selection may be conducted at any of the regular General Meeting of the Association to fill any position which may become vacant for whatever reason.
- (7) The Selectoral Committee shall publish the names of candidates and exhibit them at association's secretariat, not later than 30 days before selection.
- (8) Subject to the provisions of this constitution, the Selectoral Committee may make its own rules and regulations regarding any selection but selection shall be by Shura.
- (9) The Shura Committee shall consist of representatives from the States and including Abuja.
- (10) **Eligibility for selection as National Executive Officer:**
 - (i) Candidate must be sponsored by Branch affiliated to the National Body.
 - (ii) The State Branch must have met its entire financial obligation to the National Body.
 - (iii) The State Branch must have met minimum of 75% attendance and participation at National function.
 - (iv) The minimum post-call qualification year to vie for the office of President, 1st and 2nd Vice Presidents and General Secretary shall be 10 years.

CHAPTER 6

MEETINGS

S.17 (1) There shall be the following meetings of the Association.

- (a) Annual General Assembly - Once a year
- (b) National officer's Meeting - At least twice a year
- (c) National Executive Council Meeting - at least Once a year.
- (d) National Executive Committee Meeting - 4 times a year.
- (e) Extraordinary Meetings - as may be desirable.
- (f) Trustees Meeting - at least once in a year.

(2) The Extraordinary Meetings shall be for the consideration of emergency matters and may be summoned by the President or by a notice signed by 5 council members in case of National Executive Meeting.

(3) The National Executive Committee meeting shall meet for the purpose of fostering good and effective management of the Association and shall have powers to regulate its meeting.

S.18(1) VENUE FOR MEETINGS shall be determined and agreed upon by members at the meeting preceding the meeting or in default by the President after consultation with the Secretary General.

(2) QUORUM for meetings shall be 1/3 of members expected at the meeting except in the case of General assembly whereby Quorum shall be 1/3rd of the States.

S.19 The General Assembly shall be the supreme body of the Association.

CHAPTER 7

PATRONS AND PATRONESS

S.20 (1) The Association shall have Patrons and Patroness who shall be honorary members.

(2) National Executive Committee (NEC) may on the recommendation of the National Officers appoint such deserving patron and patroness of the Association.

CHAPTER 8

PART I FINANCE

S.21 (1) The Association may raise money by payment of dues, levies and subscriptions from members. The Association may also receive donations and grants from members and public. The subscription shall be fixed by the congress.

(2) The annual subscription shall be as may be fixed by the National Executive Council.

PART II

BANKERS

S.22 (1) The Association shall maintain account(s) with a reputable bank or banks as may be directed by the General Assembly.

(2), The signatories to the account of the Association shall be the President, General Secretary and the Treasurer.

(3). All monies collected by the Treasurer shall be lodged into the Association's Account within 48 hours of receipt and a copy of transaction receipt lodged with the Financial Secretary.

CHAPTER 9

AMENDMENT

S.23 This Constitution or any provisions thereof may be amended at the General Assembly of the Association.

PROCEDURE FOR AMENDMENT

S.24 (1) The procedure for amendment is as follows:

- (1) Proposal for amendment of the Constitution must be submitted to the Secretary General of the Council not less than 3 months before the General Meeting of the Association.
- (2) The Secretary General shall dispatch the proposals for amendment to members two months before the General Meeting.
- (3) A proposal for amendment or review of the Constitution must state the date for coming into effect of the amendment or review.
- (4) At the time of approving an amendment or review of the Constitution, the General Meeting shall determine the date of its coming into effect.
- (5) Bill for amendment shall be presented by a member and for it to be adopted such bill must be supported by 2/3 majority votes of members.
- (6) Upon receipt of the one; the General meeting shall set up an Ad-hoc Constitutional Review Committee which shall effect the amendment.
- (7) The amendment shall be forwarded to the General meeting for final approval before it can become law.

- (8) The Constitution may be amended, altered or repealed in whole or in part by a resolution passed by a majority of two third (2/3) votes of members at general meeting called for that purpose and finally approved by the Registrar General, Corporate Affairs Commission.

CHAPTER 10

CONFERENCE

S.25 (1) There shall be an Annual General Meeting to be hosted by a branch who must have bided and won the bid to host the Conference.

- (2) The conference shall be held in the month of May/June every year.

S.26 Special Activities at Annual General Assembly

- (1) General Selections *if it is due*.
- (2) Consideration and approval of Audited report.
- (3) Annual General Meeting.
- (4) Receiving and consideration of bids for hosting conference.
- (5) Constitutional Amendment. IF ANY

S.27 SPECIAL CLAUSE

(1) The Name and Properties of the Muslim Lawyers' Association of Nigeria whenever derived shall be applied solely towards the promotion of the objects of the Muslim Lawyers' Association of Nigeria as set forth in this Rules and Regulations/ Constitution and not otherwise however by way of profit, to the members of the MUSLIM LAWYERS' ASSOCIATION OF NIGERIA.

(2) Provided that nothing herein shall prevent the payment in good faith, reasonable and proper remuneration to any officer or servant of the MUSLIM LAWYERS' ASSOCIATION OF NIGERIA in return for service actually rendered to the Muslim Lawyers' Association of Nigeria but so that no member of the Council or Management or Governing body shall be appointed to any salaried office of the MUSLIM LAWYERS' ASSOCIATION OF NIGERIA paid by fees, and that no remuneration or other benefit in money or monies shall be given by the MUSLIM LAWYERS' ASSOCIATION OF NIGERIA to any member of

such council or Governing Body except repayment of out-of-pocket expenses or reasonable and proper rent for premises demised or let to the MUSLIM LAWYERS' ASSOCIATION OF NIGERIA provided that the provision of the last aforesaid shall not apply to any payment of any company to a member of the MUSLIM LAWYERS' ASSOCIATION OF NIGERIA **unless it may be a company in which such member shall not hold more than one-tenth of the capital and in which case such member shall not bound to account for any share of profits he may receive in respect of any such payment.**

- (3) NO ADDITION, alteration or amendment shall be made to or in the RULES AND REGULATIONS/ CONSTITUTIONS for the time being in force unless the same have been previously submitted to and approved by the Registrar General.
- (4) In the event of winding up or dissolution of the MUSLIM LAWYERS' ASSOCIATION OF NIGERIA, the remains after the satisfaction of all its debts and liabilities, any property whatsoever, same shall not be distributed among the members of the Muslim Lawyers' Association of Nigeria but shall be given or transferred to some other institution or institutions having object similar to the object of the Muslim Lawyers' Association of Nigeria.

Adopted and ratified at the 11th Annual General Meeting of Muslim Lawyers' Association (MULAN), Held in Kano

This 7th Day of July 2018

Equivalent to:

The 24th day of Shawwal 1439