

## WORLD FEDERATION OF KSIMC

### PROCESS FOR THE EXECUTIVE COUNCIL MEETING TO BE HELD ON 25 07 2020

This process has been formulated by the Office Bearers of The World Federation of KSIMC ("The WF") having taken legal advice from the Federation's solicitors and Robert Pearce QC.

The process is being sent in advance in order to bring clarity as well as to ensure points of order are not brought to the meeting. [Councillors will have up to Saturday at 10am to email through any points they have on the process.] Since the process is clear it is not envisaged to take any Points of Order on the process methodology below in the meeting.

#### Conducting the Meeting

1. The President, Al Haj Anwar Dharamsi, will Chair the Meeting. He may ask the Secretary General to conduct parts of the meeting on his behalf as is our usual practice.
2. The Office Bearers' resignation, as per their letter, is effective as of 28<sup>th</sup> July. However, the Agenda drawn up brings that date forward as to the end of the Executive Council ("Exco") meeting on the 28<sup>th</sup> July. The Office Bearers will have no involvement in the governance of the charity after that except so far as necessary to complete the transfer of authority to the newly appointed interim Office Bearers.
3. The Exco meeting will be held electronically, using the Zoom platform as indicated in the Notice convening the meeting.
4. A suitable online voting system has been procured: OptaVote ([www.optavote.com](http://www.optavote.com)). This enables secure, transparent online voting. It will produce a verified results table which can be both displayed during the meeting and share with every Councillor via email. Test of this system have been in progress and the Exco Members have had the opportunity to test the system. On the day of the meeting, the Secretariat will not be able to test out with Councillors who have not responded to the test and shall assume, given a test has been circulated in advance, that all Councillors who have not mentioned to the Secretariat an issue prior to the meeting can vote using the methodology. The System used is secure, anonymous and will not provide anyone with data until the conclusion of the ballot period.
5. The Chair will open the meeting, confirm whether a quorum is present and confirm any apologies given. Each member shall be asked to confirm they can see, hear and participate in the meeting by giving a "thumbs up" using the relevant facility in Zoom.
6. The Chair will then invite the Executive Council to confirm its approval of the process for appointment of the Office Bearers set out in this note.

**Please note:** the appointment of the replacement Office Bearers only be effective until the close of the next Ordinary Conference which is to take place no later than 1 June 2021 in accordance with the Charity Commission Order of 26 June.

7. As you know, the Chair of the Electoral Commission has resigned. The two continuing members of the Electoral Commission, Sister Waheeda Rahim and Brother Jaffer Dharsee who were each elected by Conference, have indicated that they do not wish to hold the position of Chair and Returning Officer. As such, the Executive Council will be asked to appoint a new Chair of the Electoral Commission who will immediately take up their duties. They will act as the returning officer and, with the other members of the Commission, oversee the process of the election.
8. The Chair of the Meeting will seek nominations and secondment of individuals to Chair the Electoral Commission. The Chair of the meeting will ensure that the candidates have given verbal consent and then Executive Council will vote on the same. Any person can stand and it doesn't have to be a member of the Executive Council.
9. In accordance with our usual practice, all current members of the Executive Council will be invited to nominate candidates for each of the following posts:
  - President
  - Vice-President
  - Honorary Treasurer, and
  - Assistant Honorary Treasurer

Each person making a nomination must confirm that any person nominated by them is aware of the nomination and has consented to serve. Each nomination should be seconded by another member of the Executive Council. If you have not already done so, please consider whether you wish to nominate a candidate for one of the above roles and, if so, ensure you are ready to meet the above requirements.

To avoid any doubt, the election for each post will take place before nominations are sought for the next post.

10. The Office Bearers wish to remain neutral and they will not nominate or second any candidate unless this proves essential to enable the appointment of replacement Office Bearers so that they can resign in the manner they propose. (They do not wish to be in a position where they are left in office.)
11. Nominations may be made for any person whether or not they are currently a member of the Executive Council. For the post of President, they must be a member of a Constituent Member. For the post of Vice President, Hon. Treasurer and Asst. Hon. Treasurer they may be any person.
12. As each post is filled, the chair of the Electoral Commission will confirm the name of the candidates who have been nominated for the Office Bearer role being considered.
13. As indicated above, each role shall be filled in turn in order of seniority (President, Vice-President, Honorary Treasurer, Assistant Honorary Treasurer) before nominations for the next role are sought. The chair will confirm the names of the proposed candidates.
14. No vote will be required if there is only a single candidate. Where there is more than one candidate, an electronic ballot will be held to keep the process as simple as possible. (The

Office Bearers will call for a ballot under clause 19.2.6 of the Constitution on all votes.) The secure online electronic voting system to be used to operate the ballot.

15. All members of the Executive Council may cast a vote in each ballot (and, should it be necessary, in any vote held without a ballot). The 6 Office Bearers are entitled to exercise their right to vote as are the Appointed Councillors. They may, individually, choose not to exercise that right because they wish to remain neutral or for any other reason.
16. Votes will be counted using the online voting system under the oversight of the Electoral Commission.
17. A period of time (decided by the Electoral Commission) will be given for Councillors to exercise their vote as a recess/break period. The results will be displayed using the electronic voting system shows the number of votes cast for each candidate immediately after the vote is conducted. This process will be overseen by the members of the Electoral Commission.
18. The candidate receiving the most votes will be declared as the appointed Office Bearer in the relevant post until the next Ordinary Conference. If the number of votes is tied, then the process will be re-run and Executive Council members will be asked to cast their votes again. To avoid any doubt, the President will not seek to exercise a casting vote.
19. The process for the appointment of President will then be repeated in respect of the posts of Vice-President, Honorary Treasurer and Assistant Honorary Treasurer.
20. The Office Bearers will take office from the close of the meeting, at which point the current Office Bearers shall cease to play any role in the governance of the organisation. The newly appointed Office Bearers will notify the Charity Commission of the change in Office Bearers within 7 days.
21. The person elected as President will have all the rights s/he enjoys under the Constitution including the right to appoint the Secretary General, the Assistant Secretary General and the eight Appointed Councillors.
22. The meeting will not be asked to fill the two vacancies for Ordinary Councillors on the Executive Council. While the Office Bearers do not object to vacancies on Executive Council being filled, this business was not included on the agenda for the meeting. It can be dealt with at a later Executive Council meeting. This is not a pressing issue. One of the two vacancies arose as a result of the resignation of Mohsin Jaffer two years ago. The other is a more recent resignation prompted by ill-health.