

GOVERNING RULES
OF
DIWAN AL DAWLA



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1. Definitions

1.1 In these rules, words and phrases have the meaning set out below:

guild means the unincorporated **guild** described in rule 2.

member means a member of the **guild** as described in section 6.

purposes means the charitable **purposes** of the **guild** as described in rule 3.1.

trust means a fiduciary relationship between a **member** and the **guild** to hold income or property for the benefit of the **group** or its **purposes** as described in section 4.

trust account is an account opened in a bank under the **guild's** profile.

trust company is a special purpose not-for-profit company in which a **member** holds the shares on **trust** for the benefit of the **group**.

Imām (إمام) means the spiritual leader of the **guild** who is associated with the founding of the **guild's** organisational structure and governing rules.

Naqīb (نقيب) means a **member** who has registered a **trust company** as described in rule 4.9.

Aṣḥāb Al Dawla (أصحاب الدولة) means the collective of **Naqībs** and the **Imām**.

group means the collective of the **members** and the **Imām**.

2. Preliminary

2.1 The name of the **guild** is DIWAN AL DAWLA (pron. DĪWĀN AL DAWLA)

2.2 The **guild** is known in Arabic as ديوان الدولة.

2.3 The **Imām** of the **guild** is Dr Mustapha Kara-Ali.

2.4 The official website of the **guild** is www.aldawla.org

2.5 The **guild** is unincorporated.

2.6 The Australian Business Number (ABN) of the **guild** is 99 761 464 044.

2.7 These rules are intended to be binding on the **members**.

3. Charitable purposes and status

3.1 The **guild** pursues the following charitable **purposes**:

*DIWAN AL DAWLA is a **guild** that advances a way of living based upon a unitarian epistemology and narrative. The name of the **guild** is based on the Arabic word dawla (دولة), which promotes the binding of collaborative effort upon autonomous standards of self-governance.*

*In addition to spiritual education, which includes the study, remembrance and propagation of Prophetic teachings, the **guild's** practical endeavour involves the charitable mission of providing living support to individuals in the **guild's** community who are disadvantaged.*

*Members of the **guild** take a volunteer oath to use their resources and knowledge to build a sustainable community that overcomes structural disadvantage by way of living a spiritual life of virtue, self-sacrifice and piety to God.*

3.2 The **guild** may do all things that help it to achieve these **purposes**, in accordance with these rules.

3.3 The **guild members** may only do things and use the income and assets held on **trust** for the **purposes** of the **guild** for those **purposes**.

3.4 The **guild** does not distribute any income or assets, directly or indirectly, to its **members** pursuant to rule 3.5.

3.5 Rule 3.4 does not stop the **guild** from doing the following things, provided they are done in good faith (fairly and honestly):

- i. paying a **member** for goods or services they have provided or expenses they have properly incurred at fair and reasonable rates or rates more favourable to the **guild**, or
- ii. making a payment or providing a benefit to a **member** in carrying out the **guild's** charitable **purposes**.

4. Funds and assets

- 4.1 The governing rules establish processes for the holding and management of funds and assets on behalf of the **purposes**.
- 4.2 The execution of the governing rules is overseen by the **Imām** in consultation with the **Naqībs**.
- 4.3 A supporter wishing to become a **member** applies to the **guild** to register a **trust** in accordance with rules 6.1-6.2.
- 4.4 Upon receiving a **trust** application, the **guild** registers a **trust** by recording it in its register of **trusts** in accordance with section 7.
- 4.5 An applicant becomes a **member** when a **trust account** is opened by the **member** in connection to the registered **trust**.
- 4.6 Funds that are to be held by a **member** for the **purposes** are to be held in a **trust account**.
- 4.7 A **member** does not have control powers over other **members'** activities in relation to an asset or property that they hold on **trust** for the **group** pursuant to rules 6.6-6.7.
- 4.8 If an asset held on **trust** by a **member** is a property, by default, it would be considered to be legally occupied by the **group**, who are the real owners of the property with equivalent individual benefit and access rights.
- 4.9 A **member** wishing to manage assets on **trust** for the **purposes** registers a **trust company** and opens a two signatory **trust account** with the **Imām** as the second signatory. Upon completion of this process the **member** becomes a **Naqīb**.
- 4.10 To transfer funds to the **guild**, a **member** follows rule 4.9 to become a **Naqīb**.
- 4.11 A **Naqīb** strictly uses the two signatory **trust account** referred to in rule 4.9 to transfer funds to the **guild**.
- 4.12 Following the transaction carried out in rule 4.11, the total funds amount is split according to the following formula:
 - i. 20% of the total amount is transferred to a dedicated **trust account** called the Birr Charitable Fund.
 - ii. the remaining 80% is transferred to the **Naqīb's trust account** referred to in rule 4.5.

5. Record-keeping

- 5.1 A **member** makes and keeps written financial records that correctly record and explain transactions and financial position related to their **trust accounts**.
- 5.2 A **member** takes reasonable steps to ensure that the records referred to in 7.1 are kept safe.

6. Membership

- 6.1 Anyone who supports the **purposes** of the **guild** and agrees to live in accordance with its three governance standards, can apply to join the **guild** as a **member**. To seek advice on these three standards, an individual can contact the **guild** through its official website listed in section 2.
- 6.2 The process for receiving and processing membership applications should be automated and internet based in accordance with rules 4.4-4.5.
- 6.3 A **member** complies with the governing rules of the **guild**.
- 6.4 A **member** acts in good faith (fairly and honestly) in the best interests of the **group** and in furtherance of the **purposes**.
- 6.5 A **member** ensures that the financial affairs related to their **trust account(s)** are managed responsibly.
- 6.6 A **member** takes individual responsibility for actions they undertake in pursuit of the **purposes**. This includes any debts or liabilities incurred personally by the **member** in connection with their **trust account(s)**.
- 6.7 A **member** can choose to offer their time and effort in serving as an adjunct to a **Naqīb** or to the **Imām**, in which case public responsibility remains solely with the corresponding **Naqīb** or the **Imām**.
- 6.8 A person immediately stops being a **member** if:
- i. they voluntarily resign by writing to the **guild**, or
 - ii. they die.

7. Register of trusts

- 7.1 The **guild** maintains a register of **trusts** with their associated **members**.
- 7.2 **Members'** names and contact details are entered in the register of **trusts** when a membership application is processed.

- 7.3 The **guild** records the date that a person stops being a **member** of the **guild** in the register of **trusts** as soon as practical after the person stops being a **member**.

8. Winding up

- 8.1 In the event of the **guild** being dissolved, all assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes, which is charitable at law and which has rules preventing the distribution of its assets and income to its members.