

INDIAN SENIOR CITIZENS ASSOCIATION Inc. (The CONSTITUTION)

NAME

1. The name of the Association is INDIAN SENIOR CITIZENS ASSOCIATION Inc.

2. TITLE

These clauses may be cited as the Constitution of the Indian Senior Citizens Association

3. DEFINITIONS

In these clauses, unless otherwise specified

"Association" means the Indian Senior Citizens Association;

"Committee" means the Executive Committee of the Association;

"Financial Year" means the period from 1 July to the following 30 June;

"General Body" means the general body of the members of the Association;

"Member(s)" means the member(s) of the Association.

4. OBJECTIVES OF THE ASSOCIATION

The objectives of the Association are-

- (a) To promote understanding and appreciation of the cultures of India and Australia.
- (b) To promote fraternity, understanding and comradeship between the members and the local community.
- (c) To help provide Senior Individuals of Indian Origin, settled in Canberra with latest Government notification concerning Health and Financial matters.
- (d) To organise or to participate in Indian festivities organised by other Indian associations.

5. MEMBERSHIP

(a) There will be only One category of membership of the Association:

Ordinary Members.

(b) An individual of Indian origin can become a member by filling up membership form as per **schedule-1**.

The Executive Committee will approve the application, before an individual becomes a member

(c) He / She must be 55 of age or above.

(d) The annual membership subscriptions for the ensuing financial year shall be determined by the General Body in the Annual General Meeting

(e) Each year the Committee may elect up to Three patrons for that year. patrons will normally be persons of eminence, by virtue of the offices they hold or distinctions they have achieved in their respective spheres of the activity, and with definite interest in furthering the objectives of the Association. A patron will take part in the activities of the Association, but will have no voting right, nor he / she will be required to pay the membership subscription.

(f) A person shall cease to be a member of the Association.

(i) If the person resigns by writing to the Committee or to the Public Officer

(ii) If the person fails to pay the annual subscription before 31 October of the relevant financial year. Such a person can resume his / her membership by paying in full all dues in arrears, the membership taking effect on the day the payment is made.

(iii) If, on the recommendation of the committee, the majority in a meeting of the General Body approves the expulsion of the member on the ground that the member has acted against the objectives and interests of the Association. Before making such a recommendation to the General Body, the Committee shall give the affected person an opportunity to explain his / her position, and his / her explanation, if any, shall be forwarded to the General Body along with the recommendations of the Committee.

6. VOTING RIGHTS

(a) All Ordinary Members can vote in the meetings of the General Body and in referenda, subject to the stipulation of Clause 6(b).

(b) To be eligible to vote and / or to become a candidate for election to the Executive Committee a Member must have joined the Association before the preceding 31 March. Similarly the proposer and the seconder for the candidature must also be a paid member.

7. THE EXECUTIVE COMMITTEE

(a) The Executive Committee of the Association shall consist of - (i) The President; (ii) the Vice-President; (iii) the Secretary; (iv) the Treasurer; and (v) Three Executive Committee members.

(b) The term of the Executive Committee **will be two years.**

(c) If a vacancy occurs in the Committee due to death, resignation or removal of a member, it shall be filled by selection from the General Body.

8. DUTIES OF THE EXECUTIVE COMMITTEE

(a) The Executive Committee shall be responsible for organising the programmes and the activities, and for furthering the objectives of the Association.

(b) The Committee shall be responsible for suggesting procedures to the General Body on such matters as are not explicitly provided for in this Constitution.

(c) The Executive Committee Members including the Public Officer can not make improper use of their position or gain advantage for themselves or another person that is not in the best interest of the association.

(d) The President shall-

(i) When present, preside over all meetings of the General Body and of the Executive Committee;

(ii) Convene and decide the agenda of all meetings of the Committee and of the General Body in consultation with the Secretary, and where possible, with other members of the Committee;

(iii) Take such action in an emergency as he / she deems necessary in the interest of the Association. Notice of such action shall be given to the Committee members as soon as practicable.

(e) The Vice-President shall-

in the absence of the President, undertake the duties and exercise the powers of the President.

(f) The Secretary shall –

(i) be the Public Officer of the Association;

(ii) Maintain a Register of Members which shall be updated every year before 30 June and will contain information about a person, their name and contact details, the date the person became a member of the association or anything else required by the association's rules and regulation. Association will restrict access to such personal information, if desired by the member

(iii) Prepare a list of voters within two weeks after 30 June, who are eligible to contest and vote in the election of members of the Executive Committee as per provisions of Clause 6(b) and 7(b);

(iv) Keep or cause to be kept the minutes of all meetings of the General Body and of the Committee and circulate the draft minutes of each meeting within 14 days from the date of the meeting to the Executive Committee members;

(v) Send the notice of all meetings of the General Body and of the Committee, giving the agenda;

(vi) Conduct the correspondence of the Association, and put all correspondence received or sent, before the Committee at the earliest opportunity;

(vii) In an emergency, take any action deemed necessary in the interest of the Association. Notice of such action shall be given to the Committee as soon as practicable.

(viii) Provide on request to a General Body member of the association a variety of documents relating to the association including a current statement of objectives of the association, a copy of the rules of the association that are in force, a copy of the deeds of any trust relevant to the association or a summary or the minutes of a meeting of the committee. The association can charge a fee for this.

(f) The Treasurer shall;

(i) Collect the annual membership subscriptions and help the secretary in maintaining and updating the Membership Register and in preparing the list of voters;

(ii) Keep detailed accounts of all income and expenditure of the Association;

(iii) Prepare a statement of accounts as at 30 June and submit the necessary documents to the Committee for approving the same for submission for audit.

(g) (i) The Committee shall designate from among its members a person to carry out the functions of the Secretary or the Treasurer in the event of the absence of the office bearer for a period not exceeding two months.

(h) The Executive Committee shall appoint for the financial year -

(a) A Returning Officer, who would be appointed whenever the need arises to conduct the election of the Executive Committee according to the provisions in this Constitution, Clause 14

9. Meetings of the Executive Committee

- (a) The Executive Committee shall meet at least once every two months;
- (b) The meetings will normally be convened by the President;
- (c) If a minimum of four members of the Committee request the President in writing to consider a specific issue, the President shall convene the meeting within seven days after receiving the request;
- (d) For normal meetings of the Committee a notice of minimum of seven days will be given. In an emergency a meeting can be called on twenty four hours' notice.

10. Meetings of the General Body

- (a) The annual general meeting (AGM) of the Association shall be held within two months after the end of the financial year i.e latest by end August.
- (b) Not less than two weeks, notice shall be given for any other meeting of the General Body.
- (c) The secretary shall arrange the notice of the AGM to be communicated to the ordinary members before July end, stating the venue, the agenda and the time of the meeting, and will include in this notice any communication from the Returning Officer as per the provisions of Clause 14(a), if necessary.
- (d) The Annual Report of the Executive Committee, the Financial Statement and the report of the Auditor shall be presented in AGM.
- (e) A special meeting of the General Body shall be called by the Committee within twenty one days of the receipt in writing, from not less than one-third of the ordinary Members, to consider the issue specified in the request.
- (f) The decisions of a meeting of the General Body shall be binding on the Executive Committee.
- (g) The AGM shall appoint an Auditor for the ensuing year, who will complete the auditing of the accounts before the next AGM.

11. QUORUM

- (a) The quorum of a meeting of the Executive Committee shall be four, of which at least two shall hold the positions referred in Clause 7(a)(i) to 7(a)(iv).
- (b) The quorum for a meeting of the General Body convened after due notice shall be one-sixth of the total number of ordinary members.
- (c) In the event that a meeting of the General Body or of the Executive Committee cannot be held for lack of quorum, the President shall re-convene the meeting of the Executive Committee and the General Body after half an hour of the scheduled time of the convened meeting and the members present shall be considered as Quorum for the meeting.

12. Seal of the Association

- (a) There is no compulsion to have a common seal but President and the Executive committee if they desire, may keep it.

13. Bank Account and Postal Address

- (a) The bank accounts of the Association shall be in the name of the Association, and shall be operated by the President jointly with either Treasurer or the Secretary.
- (b) The address of the association shall be the address of the President.

14. Election of the Executive Committee

(a) The Returning Officer shall ask the members satisfying the criteria given in Clause 6(b) to send him nominations in the form given in **Schedule 2**, for the positions of the Committee stated in Clause 7(a)(i) to Clause 7(a)(v), before a closing date which must be at least three weeks before the day of the AGM.

(b) At least two weeks before the day of the AGM, the Returning Officer shall announce to all members eligible to vote, the official list of candidates determined by him on the basis of the valid nominations received by him.

(c)

(i) If there is more than one nomination for any of the positions referred in Clause 7(a)(i) to 7(a)(iv), election by secret ballot will be held in AGM. The ballot paper shall be as per **Schedule 3**, containing the names of all candidates for positions for which more than one valid nomination had been received. The candidate who receives the highest number of votes shall be elected.

(ii) For the positions referred in Clause 7(a)(v), if more than three valid nominations had been received, the ballot paper shall include their names, and the first three members who receive the highest number of votes shall be elected.

(d) If a member is unable to attend AGM and notifies the Returning Officer at least a week before the date of AGM, the Returning Officer shall give the member a ballot paper for vote in absentia. The member shall fill in the ballot paper, put it inside an unsigned envelope, and put the unsigned envelope containing the ballot paper inside another envelope which shall be signed by the member at the top. It will be the member's responsibility to ensure that the signed envelope reaches the Returning Officer before the date of the AGM. All votes in absentia shall be added to those cast in AGM by the Returning Officer before the counting starts under his supervision.

(e) The returning officer shall issue along with the nomination paper the Proxy form, as **schedule-4** so that the member who is not able to come for the AGM may appoint a proxy to vote on his behalf.

(f) The retiring Executive Committee shall hand over the assets and the documents of the Association to the new Executive Committee as soon as possible and not later than two weeks after the date of AGM.

15. Amendments to the Constitution.

(a) Amendments to the Constitution can be proposed by;

(i) one-quarter of the ordinary members in a petition to the Committee; or by

(ii) The Executive Committee.

(b) The Committee shall hold a referendum amongst all ordinary members, who shall be given at least ten days time to return the voting paper to the Secretary.

(c) An amendment approved by more than one half of the ordinary members voting in the referendum shall become effective when the result is made known at the first Executive Committee meeting held after the referendum.

16. DISPUTE SETTLEMENT

(a) In the event of a dispute between two members of the association, where the subject matter is of concern to the association, the Executive Committee will invite the members and listen to their grievances and help them in settling the dispute.

(b) Utmost care is to be taken by the Executive Committee to see that such a dispute should not tarnish the image of the association in the Community. The Executive

Committee must look for different solutions to resolve the dispute, but in case the Executive Committee fails to resolve the dispute, the same will be placed before a committee of 5 General Body members, to be selected by the General Body itself and their decision will be final.

(c) The member who has filed for dispute settlement will have the right to appoint another person to present his / her case before the committee settling the dispute.

(d) In case the member are still not satisfied with the solutions suggested by the Executive Committee or the General Body, the Executive Committee is empowered to take disciplinary action against such member, and if deemed fit, remove him / her from the membership of the association.

17. Dissolution

(a) In the event of dissolution of the Association the property of the Association shall be sold and any money belonging to the Association after all debts are paid shall be donated to a charitable organisation.

(b) In case of any liability of the association, the members of the Executive Committee will not be personally responsible and liability would be paid from the assets of the association.

18. Commencement

The original Constitution came into operation on 30th March, 1998 and is updated from time to time..

Schedule-1
Application for Membership

Date.....

The Secretary
Indian Senior Citizens Association Inc.
Australian Capital Territory

I hereby apply for membership of the Indian Senior Citizens Association of ACT. I undertake to abide by the rules of the Association as provided in its constitution.

My contact details are as under ;-

Name.....

Address.....

.....

Occupation.....

Date Of Birth.....

Telephone/ Mobile No:

E Mail

Would you like the Association to maintain privacy of your mailing details?

Yes / No

Signature.....

INDIAN SENIOR CITIZENS ASSOCIATION INC.
Form for Nomination of a Candidate to a Position in the Executive
Committee (to be filled in Block Letters)

Schedule-2

1. I hereby Propose the name of

Mr./Mrs.....

for the position

.....*

.....
Name of the proposer

.....
Signature of the Proposer:

Date:

2. I hereby second the above proposed name

.....
Name of the seconder

.....
Signature of the Seconder

Date:

3. I hereby accept my nomination as.....**.

.....
Signature of the nominee:

Date:

* Name of the nominee in block letters.

** Write here explicitly the name of the position, such as President, Vice-President, Secretary, Treasurer, or Member of the Executive Committee.

Schedule - 4

PROXY FORM

INDIAN SENIOR CITIZENS ASSOCIATION Inc.

Australian Capital Territory

Canberra Australia

I express my inability to come in person to vote at the annual elections of the Executive Committee of the Indian Senior Citizens Association and hence authorise Mr. / Ms..... Whose signatures are attested below to vote on my behalf, in case the voting is called for to elect a member to the Executive Committee.

Signature of Member

Signature of Proxy

Signature of Proxy attested