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sallaVana

Constitution Of Hindi Samaaj Sydney Australia Inc

1. THE ASSOCIATION

The name of the incorporated association is Hindi Samaaj, Sydney - Australia, hereafter called as "the Association" or "Hindi Samaaj"

It shall have its own emblem.

The address of the Association shall be care of the Secretary of the Executive Committee of Management or as decided by the Executive Committee. The present postal address of the Association is: Hindi Samaaj, P.O. Box 437, Seven Hills NSW 2147

PART 1: PRELIMINARY

2. INTERPRETATION

1. In this constitution, except in so far as the context or subject matter otherwise indicates or requires:
 - a. *Executive Committee* means the Committee of Management of the Association.
 - b. *Secretary* means the person holding office under this constitution as Secretary of the Association or where no such person holds the office - the Public Officer of the Association.
 - c. Executive Member means a member of the Executive Committee.
 - d. Special General Meeting means a general meeting of the Association other than Annual General Meeting.
 - e. Financial Year means the year ending on 30th June.
 - f. Membership Year means the year from 1st July to 30th June or as decided by the Executive Committee from time to time.
 - g. "Member" means a member of the Association who paid all moneys due to the Association including dues for the current membership year.
 - h. Public Officer means the person appointed by the Executive Committee and holding office of the same under this constitution.
 - i. The Act means the Associations Incorporation Act, 1984, (or any amendments thereof).
 - j. The Regulation means the Associations Incorporation Regulation, 1985, (or any amendment thereof).

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2. In this constitution
 - a. a reference to a function includes a reference to a power, authority, and duty;
 - b. reference to the exercise of a function includes, where the function is a duty, a reference to the performance to the duty.
3. The provisions of. the Interpretation Act, 1987, (or any amendments thereof) apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

4. OBJECTS

The objects of the Association shall be:

- a. To be a secular, non-political and non-sectarian organisation in outlook and concept. To promote appreciation and enjoyment of Hindi Language, Literature and Culture.
- b. To promote appreciate and enjoyment of Hindi language, Literature dn culture.
- c. To maintain links with Hindi speaking people and supporters of Hindi culture all over the world.
- d. To conduct schools to enable interested persons to acquire familiarity with the Hindi language, its history, literature and art forms. To maintain a Library of Hindi Literature.
- e. To propagate the virtues of Hindi Culture for the sake of posterity.
- f. To bring about unity and solidarity among Hindi speaking people and supporters of Hindi culture all over the world.
- g. To provide opportunities to the members of the Association to enjoy various social and cultural activities such as dancing, music, movies, literature and handicraft.
- h. To make available counselling assistance and hospitality to Hindi speaking people and supporters of Hindi culture in Australia when the need arises.

Solely for the purpose of carrying the aforesaid objects and not otherwise.

- i. To cooperate with any other organisations with similar objectives to those of the Hindi Samaaj in Australia.
- j. To print and publish periodicals or other material that the Hindi Samaaj might deem necessary for the promotion of its objectives.
- k. To collect funds for the Hindi Samaaj in the form of donations, annual subscriptions and others; including grants & sponsorships from Government and non-Government bodies.
- l. To make donations for charitable and humanitarian causes.
- m. To interact and foster harmonious relationship with Australian Community, in

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furtherance of Multicultural Australia.

- n. To liaise and cooperate with the Community Relations Officer(s) of the Commonwealth, the Ethnic Affairs Commission of New South Wales and other government bodies and to supply information to them concerning Hindi culture and language.
- o. To take over the funds and other assets and liabilities of the present unincorporated Association known as the Hindi Samaaj Sydney.

ART II : MEMBERSHIP

5. MEMBERSHIP

A person is qualified to be a member of the Association if, but only if :-

- a. the person has not ceased to be a member of the Association at any time after incorporation of the Association under the Act due to
 - i. expulsion under Section 12; or
 - ii. non-payment of membership fee under Section 10; and
- b. the person is a natural person
 - i. who is over the age of 18; and
 - ii. has been nominated for membership of the Association as provided under Section 5; and
 - iii. has been approved for membership of the Association by the Executive Committee of the Association.

6. MEMBERSHIP

a. NOMINATION FOR MEMBERSHIP

- 1. A nomination of a person for membership of the Association -
 - a. shall be made by a member of the Association in writing in the form set out in Appendix A to this constitution; (or a form approved by the Executive Committee)
 - and
 - b. shall be lodged with the secretary of the Association.

- 1. As soon as practicable after receiving a nomination for membership, the Secretary shall refer the nomination to the Executive Committee which shall determine

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whether to approve or reject the nomination.

2. Where the Executive Committee determines to approve a nomination for membership, the Secretary shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under this Constitution by a member as entrance fee and annual subscription or life member subscription.
3. The Secretary shall, on payment by the nominee of the amounts referred to in Clause (3) within the period referred to in that clause, enter the nominee's name in the register of the members and, upon the name being so entered, the nominee becomes a member of the Association.

6. CESSATION OF MEMBERSHIP

A person ceases to be a member of the Association if the person -

1. dies; or
2. resigns that membership; or
3. is expelled from the Association;
4. fails to pay membership fees within of 60 days since they become due.

7. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

A right, privilege or obligation which a person has by reason of being a member of the Association –

1. is not capable of being transferred or transmitted to another person; and
2. terminates upon cessation of the persons membership.

8. RESIGNATION OF MEMBERSHIP

1. A member of the Hindi Samaaj is not entitled to resign that membership except in accordance with this section.
2. A member of the Hindi Samaaj who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice (being not less than 30 days) in writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
3. Where a member of the Hindi Samaaj ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

9. REGISTER OF MEMBERS

1. The Public Officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association together with the date on

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which the person became a member.

2. The register of members shall be kept at the principal place of administration of the Hindi Samaaj and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

10. FEES, SUBSCRIPTIONS, ETC

1. An applicant for the membership of the Association shall, upon admission to membership, pay to the Association a joining fee of \$10.00 or amount/s determined by the Executive Committee, from time to time.
2. In addition to the amount payable by the member as joining fee as under clause (1) member of the Association shall pay to the Association an annual membership fee \$10 or 10 times that amount paid as lump sum for a membership for life, or where some other amount determined by the Executive Committee, of those other amount
3. A rejoining fee will be charged from members under clause (1) if the membership not renewed with in 60 days since the membership fees become due. The Executive Committee can waive off such fees if the reasons given by the person for delay renewal are acceptable to the Executive Committee.

11. MEMBER LIABILITIES

The liability of a member of the Association to contribute towards the payment of the del and liabilities of the Association or the cost, charges and expenses of the winding up the Association is limited to the amount, if any, unpaid by the member in respect membership of the Association as required under Section 10.

12. DISCIPLINING OF MEMBERS

1. Where the Executive Committee is of the opinion that a member of the Association –
 - a. has persistently refused or neglected to comply with a provision or provisions this constitution; or
 - b. has persistently and wilfully acted in a manner prejudicial to the interests of the Association,

The Executive Committee may expel the member from the Association; or suspend the member from membership of he Association for a specified period.

2. A resolution of the Executive Committee under clause (1) is of no effect unless the Executive Committee, at a meeting held not earlier than 14 days and not later than 2 days after service on the member of a notice under clause (3), confirms the resolution in accordance with this section.
3. Where the Executive Committee passes a resolution under clause (1), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member-

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- a. setting out the resolution of the Executive Committee and the grounds on which is based;
 - b. stating that the member may address the Executive Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - c. stating the date, place and time of that meeting; and
 - d. informing the member that the member may do either or both of the following-
 - i. attend and speak at the meeting;
 - ii. submit to the Executive Committee at or prior to the date of that meeting written representations relating to the resolution.
4. At a meeting of the Executive Committee held as referred to in clause (3), the Executive Committee shall –
- a. give to the member an opportunity to make oral representation;
 - b. give due consideration to any written representations submitted to the Executive Committee by the member at or prior to the meeting, and
 - c. by resolution determine whether to confirm or to revoke the resolution.
5. Where the Executive Committee confirms a resolution under clause (4), the Secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Section 13.
6. A resolution confirmed by the Executive Committee under clause (4) does not take effect –
- a. until the expiration of the period within which the member is entitled to appeal against the resolution where- the member does not exercise the right of appeal within that period;
 - b. where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to clause (4) under Section 13.

13. RIGHT OF APPEAL OF DISCIPLINED MEMBER

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1. A member may appeal to the Association in general meeting against a resolution of the Executive Committee which is confirmed under clause (4) under Section 12, within 7 days after notice of the resolution is served on the member by lodging with the Secretary a notice to that effect.
2. Upon receipt of a notice from a member under clause (1), the Secretary shall notify the Executive Committee which shall convene a special meeting of the association to be held within 21 days after the date on which the Secretary received the notice.
3. At any general meeting the Association convened under clause (2),
 - a. no business other than the question of the appeal shall be transacted;
 - b. the Executive Committee and the member shall be given the opportunity to state their respective cases orally or in writing; or both; and
 - c. the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
4. If at the general meeting the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART III : THE EXECUTIVE COMMITTEE

14. POWERS, ETC., OF EXECUTIVE COMMITTEE

The Executive Committee shall be called the Committee of Management of the Association and, subject to the Act, the Regulation and this constitution and to any resolution passed by the Association in general meeting –

- a. shall control and manage the affairs of the Association;
- b. may exercise all such functions as may be exercised by the Association other than those functions that are required by this constitution to be exercised by a general meeting of members of the Association;
- c. has power to perform all such acts and do all such things as appear to the Executive Committee to be necessary or desirable for the proper functioning of the Association.
- d. has power to appoint a member of the Association as Public Officer and the member so appointed shall hold office, subject to this constitution, to liaise with the members of the Association and with any external agencies in that capacity;

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- e. shall inform the affairs and activities of the Association to its members through its news letter and

15. EXECUTIVE COMMITTEE

1. Subject in the case of the first members of the Executive Committee to section 21 of this constitution, the Executive Committee shall consist of –
 - a. the President;
 - b. the Immediate Past-President
 - c. the Vice-president;
 - d. the Treasure; and
 - e. the Secretary
 - f. five Committee Members
2. Each member of the Executive Committee mentioned in clause (1), except for the Immediate Past President, shall be elected annually in pursuant to Section 16.
3. Each member of the Executive Committee shall, subject to this constitution, hold office until the conclusion of the next Annual General Meeting following the date of members election, but is eligible for re-election subject to clause (4).
4. 4. An office-bearer of the Association who held the same office for 2 consecutive terms is not eligible for re-election for the same office for at least 2 years.
5. In the event of a causal vacancy occurring in the membership of the Executive Committee, the Executive Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to this constitution, until the conclusion of the next Annual General Meeting following the date of the appointment. The vacancy of Immediate Past President shall not be filled by any other member.
6. To assist the Executive Committee, the committee may (if required) co-opt up to three persons to the committee, from member/s of the Association. The co-opted member/s will not have the voting right, in terms of making a decision of the Executive Committee.
7. At the time of adoption of this constitution, the office bearers of the Executive Committee of the unincorporated Association, Hindi Samaaj

Sydney shall become the first Executive Committee of the Association.

16. ELECTION OF MEMBERS

1. Nomination of candidates for election as members of the Executive Committee-
 - a. shall be made in writing signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination); and
 - b. shall be delivered (by post or otherwise) to the Secretary of the Association or to the address mentioned in the notice for elections, not less than 7 days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
 - c. Only financial members of at least three months standing (prior to the first proposed date of election) are eligible for nomination and voting at the elections.
2. If insufficient nominations are received to fill the vacancies on the Executive Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
3. If insufficient further nominations are received any vacant positions remaining on the Executive Committee shall be deemed to be casual vacancies.
4. If the number of nominations is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
5. If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
6. The ballot for the election of office-bearers and ordinary members of the Executive Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Executive Committee may direct. Voting for elections shall be by secret ballot only.
7. A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for election to another office at the same election.

17. SECRETARY

1. The Secretary of the Association shall, as soon as practical after being appointed as Secretary, lodge notice with the Association of his or her address.
2. It is the duty of the Secretary to keep minutes of –
 - a. all appointments of office-bearers and members of the Executive Committee-
 - b. the names of members of the Executive Committee present at a Executive committee meetings or a general meeting; and
 - c. all proceedings at Executive Committee meetings and General Meetings.
3. minutes of proceedings at a meeting shall be signed by the chairpersons of the meeting or by the chairperson of the next succeeding meeting.

18. TREASURER

It is the duty of the Treasurer of the Association to ensure that-

1. all moneys due to the Association are collected and received and that all payments authorised by the Association are made; and
2. correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association.

19. CASUAL VACANCIES

For the purpose of this constitution, a casual vacancy in the office of a member of the Executive Committee occurs if the member –

- a. a. dies;
- b. ceases to be a member of the Association;

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- c. becomes an insolvent under administration within the means of the Companies (New South Wales) Code;
- d. resigns office by notice in writing given to the Secretary;
- e. is removed from office under Section 20.
- f. becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- g. is absent without the consent of the Executive Committee from all meetings of the Executive Committee held during a period of 6 months.

20. REMOVAL OF MEMBER OF EXECUTIVE COMMITTEE

1. The Association in a general meeting may by resolution remove any member of the Executive Committee from the office of the member before the expiration of the member's term of office and may by resolution appoint another member of the Association to hold office until the expiration of the term of office of the member so removed.
2. Where a member of the Executive Committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each member of the association or, if they are not so sent, the member is entitled to require that the representation be read out at the meeting at which the resolution is considered.

21. EXECUTIVE COMMITTEE MEETINGS

1. The Executive Committee shall meet at least 4 times in each period of 12 months at such place and time as the Executive Committee may determine
2. Additional meeting of the Executive Committee may be convened by the President or by any member of the Executive Committee.
3. Oral or written notice of the Executive Committee shall be given by the Secretary to each member of the Executive Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Executive Committee) before the proposed time for the holding of the meeting.
4. Notice of a meeting given under clause (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business

which the Executive Committee members present at the meeting unanimously agree to treat as urgent business.

5. Any 6 members of the Executive Committee (excluding co-opted members) constitute a quorum for the transaction of the business of a meeting of the Executive Committee. If a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
6. No business shall be transacted by the Executive Committee unless a quorum is present.
7. At a meeting of the Executive Committee-
 - a. the President or, in the President's absence, the Vice-president shall preside; or
 - b. if the President and Vice-president are absent or unwilling to act such one of the remaining members of the Executive Committee as may be chosen by the members present at the meeting shall preside.

22. DELEGATION BY EXECUTIVE COMMITTEE TO SUB-COMMITTEE

1. The Executive Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Association as the Executive Committee thinks fit) the exercise of such of the functions of the Executive Committee as are specified in the instrument, other than –
 - a. this power of delegation; and
 - b. a function which is a duty imposed on the Executive Committee by the Act or by any other law.
2. A function the exercise of which has been delegated to a sub-Committee under this section may, while the delegation remains unrevoked, be exercised from time to time by the sub-Committee in accordance with the terms of the delegation.
3. A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function of the subject thereof, or as to the time or circumstances, as may be specified in the instrument of delegation.
4. Notwithstanding any delegation under this section, the Executive Committee may continue to exercise any function delegated.

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5. Any act or thing done or suffered by a sub-Committee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the Executive Committee.
6. The Executive Committee may by instrument in writing, revoke wholly or in part any delegation under this section.
7. A sub-Committee may meet and adjourn as it thinks proper.

23. VOTING AND DECISIONS BY EXECUTIVE COMMITTEE

1. Questions arising at a meeting of the Executive Committee or of any sub-Committee appointed by the Executive Committee shall be determined by a majority of the votes of members of the Executive Committee (excluding co-opted members) or sub-committee present at the meeting.
2. Each member present at a meeting of the Executive Committee or of any sub-committee appointed by the Executive Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second casting vote.
3. Subject to clause (5) under Section 21, the Executive Committee may act notwithstanding any vacancy on the Executive Committee.
4. Any act or thing done or suffered, or purporting to have been done or suffered, by the Executive Committee or by a sub-Committee appointed by the Executive Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Executive Committee or sub-committee.\

PART IV: GENERAL MEETINGS

24. ANNUAL GENERAL MEETING HOLDING OF

1. With the exception of the first annual general meeting of the Association, the Association shall meet, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Association, convenes an annual general meeting of its members.
2. The Association shall hold its general meeting –
 - a. within the period of 18 months after its incorporation under the Act; and

- b. within the period of six months after the expiration of the first financial year of the Association.
3. Clauses (1) and (2) have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.

25. ANNUAL GENERAL MEETINGS - CALLING OF AND BUSINESS AT

1. The Annual General Meeting of the Association shall, subject to the Act and to Section 24, be convened on such date and at such place and time as the Executive Committee thinks fit. 21 days notice is required.
2. in addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be
 - a. to confirm the minutes of the last proceedings annual general meeting and any special general meeting held since that meeting;
 - b. to receive from the Executive Committee reports upon the activities of the Association during the last preceding financial year;
 - c. to elect the members Executive committee (office-bearer) of the Association; and
 - d. to receive and consider the statement which is required to be submitted to members pursuant to section 26(6) of the Act.
3. An annual general meeting shall be specified as such in the note convening it.

26. SPECIAL GENERAL MEETING CALLING OF

1. The Executive Committee may, whenever it thinks fit convene a special general meeting of the Association. 21 days notice
2. The Executive Committee shall, on the requisition in writing of not less than five percent of the total number of members or 20 members, whichever is higher, convene a special general meeting of the Association by notice of 21 days.
3. A requisition of members for a special general meeting-
 - a. shall state the purpose of the meeting;
 - b. shall be signed by the members making the requisition;

- c. shall be lodged with the Secretary; and
 - d. may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
4. If the Executive Committee fails to convene a special general meeting to be held within one month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
 5. A special general meeting convened by a member or members as referred to in clause (4) shall be convened as early as is practicable in the same manner as general meetings are convened by the Executive Committee and any member who thereby incurs expenses is entitled to be reimbursed by the Association for any reasonable expenses so incurred.

27. NOTICE OF ANNUAL GENERAL MEETING

1. Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
2. Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
3. No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, which may be transacted pursuant to Section 25(2).
4. A member desiring to bring any business before a general meeting may give notice in writing of the business to the Secretary who shall include that business in the next notice calling a general meeting from the member.

28. PROCEDURE

1. No item of business shall be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

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2. Twenty members, of at least three months standing, present in person (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
3. If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
4. If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than seven) shall constitute a quorum.

29. CHAIRPERSON

1. The President or, in the President's absence, the Vice-president, shall preside as chairperson at each general meeting of the Association.
2. If the President and the Vice-president are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

30. ADJOURNMENT

1. The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of the members present at the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place
2. Where a general meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
3. Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

31. MAKING OF DECISIONS

1. A question arising at a general meeting of the Association shall be determined on a show of hands and, unless before or on the declaration

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of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been earned or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

2. At a general meeting of the Association, a poll may be demanded by the chairperson or by not less than three members present in person at the meeting.
3. Where a poll is demanded at a general meeting, the poll shall be taken –
 - a. immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - b. in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the solution of the poll on the matter shall be deemed to be the resolution of the meeting that matter.

32. SPECIAL RESOLUTION

A resolution of the Association is a special resolution –

- a. it is passed by a majority which comprises not less than half of registered members of the Association as, being entitled under this constitution so to do, vote in person at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with this constitution; or
- b. where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution is passed in a manner specified by the Commission.

33. VOTING

1. Upon any question arising at a general meeting of the Association a member has one vote only.
2. All votes shall be given personally for election of the Executive Committee.
3. In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
4. Proxy vote is admissible only for the purpose of resolutions or change of constitution.

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5. A member in person or by proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the Association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

34. APPOINTMENT OF PROXIES

1. Each member shall be entitled to appoint other member as proxy by notice given to the Secretary no later than 24 hours prior to the time of the meeting in respect of which the proxy is appointed.
2. The notice appointing the proxy shall be in the form set out in the Appendix B to this constitution

PART V: MISCELLANEOUS

35. INSURANCE

1. The Association shall effect and maintain insurance pursuant to section 44 of the Act.
2. In addition to the insurance required under clause (1), the Association may effect and maintain other insurance.

36. FUNDS SOURCE

1. The funds of the Association shall be derived from entrance fees and annual subscriptions of members, donations etc., as mentioned at Section 3 k.
2. All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.
3. The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

37. FUND MANAGEMENT

1. Subject to any resolution passed by the Association in general meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Executive Committee determines.

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2. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 of the following:

President, Secretary and Treasurer.

38. ALTERATION OF OBJECTS AND CONSTITUTION

1. The statement of objects and this constitution may be altered, rescind or added to only by a special resolution of the Association.
2. The Public Officer of the Association shall, within one month after passing of a special resolution altering the statement of objects or the constitution of the Association, lodge with the Commission notice as required by subsection 20(2) of the Act. (or any amendments there of).

39. COMMON SEAL

1. The common seal of the Association shall be kept in the custody of the Public Officer.
2. The common seal shall not be affixed to any instrument except by the authority of the Executive Committee and the affixed of the common seal shall be attached by the signatures either of 2 members of the Executive Committee or 1 member of the Executive Committee and the Public Officer or Secretary.

40. CUSTODY OF BOOKS, ETC.

Except as otherwise provided by this constitution, the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

41. INSPECTION OF BOOKS, ETC.

The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hours.

42. SERVICE OF NOTICE

1. For the purpose of this constitution, a notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.
2. Where a document is sent to a person by property addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of this constitution to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

43. NON PROFIT CLAUSE

Constitution Of Hindi Samaaj

The assets and income of the Association shall be applied solely in furtherance of its objectives mentioned in Section 3 and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for service rendered or expenses incurred on behalf of the organisation.

44. DISSOLUTION CLAUSE

In the event of the Association being dissolved, the amount which remains after such dissolution and satisfaction of all debts and liabilities, shall be paid and applied by the Executive Committee in accordance with their power to any fund, institution or authority which is non-profit organisation or any recognised government charitable organisation.

Constitution Of Hindi Samaaj

APPENDIX A

HINDI SAMAAJ SYDNEY INC

MEMBERSHIP FORM

(to be printed in ink or typed)

I (Mr/Mrs/Miss/Dr) _____
(First and middle names in full) (Surname or Last name)

(Street) (Suburb) (Post Code)

Phone (Home) _____ | Phone(Work) _____

wish to become a Life / Annual member of Hindi Samaaj Sydney Inc. In the event of my admission as a member, I agree to be bound by the rules of the association for the time being in force.

I enclose herewith cash / cheque of\$.....

Date / /2006 _____

(Signature of Applicant)

1. Proposed by _____ [_____
(Full name of current Member) (Signature)

2. Seconded by _____ | _____
(Full name of current Member) (Signature)

(Please forward your application to The Secretary, Hindi Samaaj Sydney.)

For official use only:

The above applicant was approved / unapproved in the meeting of the Executive Committee of Hindi Samaaj Sydney Inc. on2006

(Signature of Secretary / President)

APPENDIX B

Hindi Samaaj Sydney Inc

FORM OF APPOINTMENT OF PROXY

I.....

Of.....

being a member of Hindi Samaaj Sydney

hereby appoint.....

of.....

or failing him

Of;I.....

as may proxy, to vote for me on my behalf at the

ANNUAL / SPECIAL GENERAL MEETING of the company to be held

on the day of 199 and at any adjournment thereof.

- My proxy is hereby authorised to vote IN FAVOUR OF / AGAINST the following resolution(s).

Signed this day of 19

NOTE:In the event of the member desiring to vote for or against any resolution, he or she shall instruct his or her proxy accordingly. Unless otherwise instructed, the proxy may vote as he or she thinks fit.

*Delete whichever is not desired.

Notes:

1. A proxy vote may not be given to,a person who is not a member of the association.
2. Proxy vote can not be used for election of Executive Members.