**Constitution**

*Name of Organisation*

*XXXXX* *Abbreviation if Applicable*

1. **Name:**

The Name of the Association is *(Insert Name of Organisation)* herein after referred as *XXXXX*. *XXXXX* shall be the abbreviation for *(Insert Name of Organisation)*.

1. **Definitions:**

**Main Committee:** - Executive Management Committee of *XXXXX*.

**General meeting:-**Big general meeting of all the members of *XXXXX* convened in accordance with these rules.

**Members:-**Members who are abide by the rules of *XXXXX*.

**The ACT:-**Association Incorporation ACT 1985.

*XXXXX***: -** *(Insert Name of Organisation)*

**3A. Purposes of the society:**

The purposes of *XXXXX* are as follows:-

**3A.1** Preserve and promote *XXXXXX* language, Culture, Art and literature together with respect to the local culture.

**3A.2.** Generate funds, donations and contributions (finance and non-finance) from any donors and distribute where necessary (disadvantaged underprivileged people)

**3A.3**. Work together actively with other community groups/organisations and establish a sound relationship with them.

**3A.4**. Help to provide health education to community through different sports activities

**3A.5**. Generate Fund to support community people who are victimised by the various natural disasters

**3A.6.** Create friendly environment to participate everyone who are interested to join hands together with and work as an umbrella organisation.

**3B. Organisational Structure of** *(Insert Name of Organisation)*

To achieve the purpose of the Society and make it easy to make happen, there shall be different projects under the society.

*(Insert Name of Organisation)*

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Art and Cultural Group

Sports Club

Language School

Adelaide Nepali Vidhyalaya

**3B.1 Language School**

There shall be a separate school management committee for the Language School under the *XXXXX*’s main executive committee. This management committee shall contain one coordinator, one sub -coordinator and three active members.

**3B.1.1:-** All members of school management committee must be the life members of *XXXXX* and coordinator may be one of the members from main executive committee of *XXXXX*.

**3B.1.2:-** Main executive committee of *XXXXX* shall nominate name of five appropriate members for school management committee. With the coordination of *XXXXX* president these five members will elect a coordinator and a sub-coordinator. In case of not able to elect a coordinator or a sub-coordinator by nominated five members, executive committee shall elect them. There shall be not more than 11 members in school management committee.

**3B.1.3:-** To manage the financial sector, there shall be a nominated bank account under the name of language school and signatories shall be the president of *XXXXX* and the coordinator of Vidhyalaya.

**3B.1.4:-** School management committee need to present a financial activities statement to *XXXXX* in half yearly basis. Due date for the statement will be the 15th day of seventh month.

**3B.1.5**:- School management committee shall make all appropriate rules and the regulations to run the Language School and hand an original copy to *XXXXX.*

**3B.2 Sports Club**

There shall be a separate management committee for the Sports Club under the *XXXXX*’s main executive committee. This management committee shall contain one coordinator, one sub -coordinator and three active members.

**3B.2.1:-** All members of Sports Club management committee must be the members of *XXXXX* and coordinator may be one of the members from main executive committee.

**3B.2.2:-** Main executive committee of *XXXXX* shall nominate name of five appropriate members for Sports Club management committee. In coordination with *XXXXX* president these five members will elect a coordinator and a sub coordinator. In case of not able to elect a coordinator or a sub-coordinator by nominated five members, executive committee shall elect them.

**3B.2.3:-** To manage the financial sector, there shall be a nominated bank account under the name of Sports Club and signatories shall be the president of *XXXXX* and the coordinator of the Adelaide Nepali Sports Club.

**3B.2.4:-** The management committee of Sports Club shall present a financial activities statement to *XXXXX* in half yearly basis. Due date for the statement will be the 15th day of seventh month.

**3B.2.5**:- Sports Club management committee shall make all appropriate rules and the regulations to run the club and handed an original copy to *XXXXX.*

**3B.3 Art and Cultural Group**

There shall be a separate management committee for the community Art and Cultural Group under the *XXXXX*’s main executive committee. This management committee shall contain one coordinator, one sub -coordinator and three active members.

**3B.3.1:-** All the members of Art and Cultural Group management committee must be the members of *XXXXX* and coordinator may be one of the members from main executive committee.

**3B.3.2:-** Main executive committee of *XXXXX* shall nominate name of five appropriate members for Art and Cultural Group management committee. In coordination with *XXXXX* president these five members will elect a coordinator and a sub coordinator. In case of not able to elect a coordinator or a sub-coordinator by nominated five members, executive committee shall elect them.

**3B.3.3:-** To manage the financial sector, there shall be a nominated bank account under the name of Art and Cultural Group and signatories shall be the president of *XXXXX* and the coordinator of Art and Cultural Group.

**3B.3.4:-** Art and Cultural Group management committee shall present a financial activities statement to *XXXXX* in half yearly basis. Due date for the statement shall be the 15th day of seventh month.

**3B.3.5**:- Art and Cultural Group management committee shall make all appropriate rules and the regulations to run the group and hand an original copy to *XXXXX*.

**4. Powers of the society**

The society shall have all the powers conferred by section 25 of association’s incorporation act 1985.Without limiting those powers the society shall be entitled to open and operate bank accounts and invest in trustee securities. The executive committee shall have the power to manage and control of the funds of society.

**5. Membership**

Any person who supports the objectives of the society and agreed by its rule can be the member of this society. Membership opportunities shall be open to any person irrespective of political or religious affiliation. Anyone who applies for membership of the society shall be proposed by one member and seconded by another member. The application for membership shall be made in writing signed by the applicant and the proposer and seconder. Upon the acceptance of the application by the committee and payment of the first annual subscription, the applicant shall be a member of the society.

**5.1. Types of membership:-**There shall be different types of membership option available in the society.

**5.1.1. Ordinary member (financial member):-**Person who want to be the member of this society for certain period of time.

**5.1.2. Life member: -** Person who wants to be the member of the society for whole rest of the life.

**5.1.3 Supporter membership:-**Person who wants to be a member of *XXXXX* but not from the *Insert the relaxant ethnicity of community group* origin.

**5.2. Subscriptions:-**

**5.2.1**. The subscriptions fees for the membership shall be determined by the current executive committee and it is subject to change time to time and publish in website or in minute book.

**5.2.2 .**The subscription fees shall be payable annually at a time that committee determine.

**5.2.3**. Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the society, provided always that the committee may reinstate such a person’s membership on such terms as it thinks fit.

**5.3. Resignations**

The member may resign from membership of the society by giving written notice to the president or secretary of the society. Any resigning member shall be liable for any outstanding subscriptions which may be recovered as a debt due to the society.

**5.4. Termination of a membership**

**5.4.1** Subject to giving a member an opportunity to be heard or to make a written submission, the committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the society.

**5.4.2** Particulars of the charge shall be communicated to the member at least one month before the meeting of the committee at which the matter will be determined.

**5.4.3.** The determination of the committee shall be communicated to the member and in the event of an adverse determination the member shall,(subject to 5 .4.4. below),cease to be a member 14 days after the committee has communicated its determination to the member.

**5.4.4** It shall be open to a member to appeal the expulsion to the association at a general meeting. The intention to appeal shall be communicated to the secretary of the society within 14 days after the determination of the committee has been communicated to the member.

**5.4.5**. In the event of an appeal under 5.4.4above, the appellant’s membership of the society shall not be terminated unless the determination of the committee to expel the member is upheld by the members of the society in general meeting after the appellant has been heard by the members of the society, and in such event membership will be terminated at the date of the general meeting at which the determination of the committee is upheld.

**5.5**. **Register of members**

A register of members must be kept and contain:-

**5.5.1**. The name and address of each member

**5.5.2**. The date on which each member was admitted to the society, and

**5.5.3**. If applicable, the date of and reason (s) for termination of membership.

**6. The Executive Committee**

The Executive committee of the society shall be elected for a period of Two years by annual general meeting .Executive committee shall consist president, vice-president, secretary, vice –secretary, treasurer and 6 members.

**6.1. Powers and duties:**

The executive committee have all the powers which need to manage the society including the rules mentioned but not limited. In addition of these rules ,committee may exercise all such powers and do all such things as are within the objectives of the society and are not by the Act or by these rules required to be done by the society in general meeting .

**6.1.1** The committee has the power to manage and control of the funds and other property of the society.

**6.1.2** The committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the society on which these rules are silent.

**6.1.3** The duties of the executive committee members are as follows but not limited to:-

**The President (Chair)**

Act as the spokesperson for the society unless an alternative spokesperson has been appointed. Together with the secretary compile and distribute an agenda for each meeting. Preside over all general special and executive meetings.  In the absence of the President, the Vice-President will chair meetings.  If both the President and the Vice-President are absent the committee shall elect one of its members to take the chair.

The duties of the president shall include the followings but not limited to:

* Develop and present two years goal and vision for discussion at the beginning of each term.
* Lead, inspire and motivate members to achieve *XXXXX*’s common objectives.
* Extend *XXXXX* 's goodwill among the wider Australian community and organisations.
* Explore opportunities to work with other government and non-government organisations.
* Create healthy discussion environment in the society to allow equal participation and to conclude with a result agreed by everyone or suitable to the society.

**Vice-President (Vice-Chair)**

Vice-President shall assist the president to meet the society’s objectives. The Vice-President shall act as President in case the President is not available or when empowered to do so by the executive team.

**Secretary**

The Secretary shall keep all record of the society’s activities, monthly proceeding of the association and give notice of meetings in writing to members of the society. The secretary shall post a notice of the General Meeting to each active member not less than 7 days prior to the meeting, and not less than 14 days prior to an Annual General Meeting, details of the time, place and agenda, and shall publish such other items as decreed by the executive members.

The followings are the duties of Secretary but not limited to:

* With the help of all executive members, implement the goals set by the executive committee.
* Central point of contact of all executive members and keep up-to-date record of all activities of the society.
* Inform to the executive team of the progress of tasks managed by all executive members and co-ordinators.

**Vice-Secretary**

The secretary shall assist the secretary in managing day to day tasks of the association. The followings are the duties of vice- Secretary but not limited to:

* Assist the Secretary.
* Act as the Secretary in her/his absence or when empowered to do so by the executive team.
* Responsible to manage ANSAI's internal and external communication.

**Treasurer**

In a small, not for profit organisations, a Treasurer is responsible for banking, depositing cash/cheques and paying bills. It is recommended that the executive board draws up a role description for the Treasurer suitable to the activities/programs of their organisations. And it should be revised whenever there is a new Treasurer taking the role. In general, following are the responsibilities of a Treasurer

* Banking, book keeping and record-keeping of all money received and payments made
* Make sure the organisation complies with tax regulations, such as GST, payroll tax and fringe benefit tax
* Prepare the annual budget, present it to the board for approval and ensure that activities adhere to the budget
* Make sure that accounts are ready for audit each year
* Review all the transactions and prepare financial report to the board and as well as to the Annual General Meeting
* Make sure that organisation’s financial systems and procedures are in line with relevant legal requirements

**Active Member**

Those who paid the membership fee set by the society if applicable or registered person who supports XXXXXXX’s objectives and engaged in the association’s activities directly or indirectly.

**Public Officer**

The executive Committee will ensure that at all times the Society has a public officer as required by the association incorporation Act. The Committee shall appoint the public officer who shall hold office until another person is appointed to the position by the committee.

**6.2. Appointment:**

The executive committee may change the number of office holders and various titles may be used to describe them.

**6.2.1**. A committee members shall be neutral person.

**6.2.2**. A retiring committee member shall be eligible to stand for re-elating without nomination, where as other members need to have nomination to be eligible to stand for election .New members need to submit her/his signed nomination by the proposer and by the nominee before 28 days of the proposed meeting .

**6.2.3** **Proceeding of committee**

The committee shall meet together for the dispatch of business at least once in two months but meeting can be call according to the need of society.

**6.2.4.** Any issue or unsolved questions at any meeting shall be decided by a majority of votes and in the event of equality of votes the president shall have a casting vote in addition to deliberative vote.

**6.2.5**. A quorum for a meeting of the committee shall be one half (6 members at the moment) of the total numbers of the committee.

**6**.**4. Disqualification of committee members.**

The position of a committee member shall become vacant if a committee member is disqualified from being a committee member by the ACT.

**6.4.1.** Expelled as a member under the society’s rules.

**6.4.2**. Permanently incapacitated by ill health.

**6.4.3**. Absent without notice from more than three meeting in a financial year.

**6.4.4**. Convicted by any criminal offence

**6.5. Advisory committee:-**

Depending on the need of executive committee the president in consultation with the executive committee may form an advisory committee to provide advice on *XXXXX* operation.

**7. The seal**

There shall be a stamp with society’s name on it and it will represent an approval of the contract. This shall not be used without the express authorisation of the committee .Every use of the stamp shall be authorised by the president or secretary.

**8. General meetings**

**8.1**. Annual general meeting

**8.1.1** The committee shall call an annual general meeting in each year within 5 months of the ends of financial year of the society.

**8.1.2**. The first annual general meeting shall call within the 18 months after the date of incorporation of the society.

**8.1.3**. The quorum for the annual general meeting shall be 15 members or 30% of the financial members if the total membership number is less than 50.

**8.1.4**. The order of the business at the meeting shall be:-

**8.1.4. A.** Conformation of the minutes of the previous annual general meeting held since that meeting.

**8.1.4. B**. The consideration of the accounts and reports of the committee and auditors’ report (if necessary)

**8.1.4. C.** The election of committee members shall be every 2nd annual general meeting.

**8.1.4. D**. Appointment of any required manpower i.e. Auditors, lawyer etc.

**8.1.4. E**. Any new business for the society

**8.2. Special general meeting**

**8.2.1**. The executive committee may call a special general meeting of the society at any time during its financial year if necessary.

**8.2.2.** The Executive committee shall call a special general meeting if not less than 20 members or by 40% of the financial members register a requisition for special general meeting within 30 days after request register.

**8.2.3**. To request for the special general meeting all relevant members must singed the request and must clearly mention the purpose of the meeting.

**8.2.4**. In special general meeting also require a quorum as for an annual general meeting and shall only discussed regarding the set agenda.

**8.2.5.** If the agenda for the special general meeting regarding no confidence in the committee, the meeting shall be adjourned to a date not more than 30 days to appoint an interim executive to organise the election for new committee.

**8.3. Notice of general meeting:-**

**8.3.1**. Subject to the general meeting, at least 14 days’ notice shall be given to the members. In the notice for the general meeting date, time, venue and the purpose of the meeting must be written.

**8.3.2.** Notice can be send via email, phone or post to the member’s residential address.

**8.3.3**. In the event of not enough quorums the meeting shall stand adjourned to the same day in the next week at the same time and place .And in the second time meeting, a quorum is not present with in 45 minute of the given time the present members shall form a quorum.

**8**.**4. Voting at general meeting:-**

**8.4.1.** In the situation for voting every members of the society has a right to cost one vote only.

**8.4.2**. Unless a poll is demanded by at least 5 members of the executive committee a questions for decision at general meeting must be determined by show of hands.

**8.4.3**. If the poll is determined by at least 5 members of the committee, it must be connected in a good manner and the result of the poll is the resolution of the meeting on that question.

**8.4.4**. The chair person shall have a casting vote.

**9**. **Constitution Amendment:-**

This Constitution can only amended at an annual general meeting of the society or at the special general meeting called for that purpose at least 30 days prior to which written notice of such proposed amendments has been forwarded by the secretary to all members as mentioned in Para 8.3.1 . A majority of two-third of those present in the meeting is required to pass any amendment of the constitution.

**10. Dispute resolution:-**

Dispute can occur between members and other members, and a members and the society. Both dispute must be addressed, met and discussed the matter in dispute and resolved as soon as possible within 14 days after the dispute comes to the attention of all members. If the committee is unable to resolve the dispute at the meeting, the two parties may choose to meet and discuss the dispute with independent third person agreed to by both parties.

**11. Financial Reporting**

**11.1**. The financial year of the society shall start on the first day of July and close in the last day of June each year.

**11.2**. All incomes which are the property of the society shall be deposited in bank account determined by the committee.

**11.3**. All fundraising money for a specific project shall be identified separately in the ANSAI Account and be used exclusively for that purpose.

**11.4**. Executive committee shall keep and retain all accounting records and explain the financial transaction and financial position of society in accordance with the ACT.

**11.5.** Executive committee shall discuss the financial position of society in front of the members at the annual general meeting.

**11.6.** Executive committee may appoint different auditor every year or appoint same for multiple year if appropriate.

**11.7.** The income and the property of the society shall be applied exclusively to the promotion of its objectives and no portion shall be paid or distributed directly or indirectly to members except expenses incurred on behalf of the society.

**12. Application of surplus assets:-**

**12.1**. The society may be wound up in accordance with the Act. This means there should be 21 days of written notice for the special general meeting with the purpose to wound up and there must be three quarters of the members need to presents. In case of winding up of the society its remains surplus assets” as defined on the ACT. Such surplus assets shall be distributed to any other organisation which has similar objects and has rules which forbid the distribution of its assets and income to its members. Society may determine to distribute surplus assets to nominated charities.

**12.2**. Surplus assets shall remain as the property of the society after all debts incurred have been met and all liabilities paid.

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