

(As reprinted in Desh-Videsh 1990)  
**INDIA-AUSTRALIA ASSOCIATION OF CANBERRA**  
**THE CONSTITUTION**

**NAME**

1. The name of the Association is INDIA-AUSTRALIA ASSOCIATION OF CANBERRA

**TITLE**

2. These clauses may be cited as the Constitution of the India-Australia Association of Canberra.

**DEFINITIONS**

3. In these clauses, unless otherwise specified

"Association" means the India-Australia Association of Canberra;

"Member(s)" means the member(s) of the Association, as defined in Clause 5;

"A.C.T." means the Australian Capital Territory;

"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;

"A.C.T. and its surroundings" means a geographic area that includes A.C.T. and the region in New South Wales within 100 km from the border of A.C.T.

**OBJECTIVES OF THE ASSOCIATION**

4. 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 Indians coming into A.C.T. and its surroundings to settle quickly and develop contacts with the local community.

**MEMBERSHIP**

5. (a) There will be two categories of members of the Association:

(1) Ordinary Members.

(2) Associate Members.

(b) Any person aged 18 and above, who is in general sympathy with the objectives of the Association and is normally resident in A.C.T. and its surroundings is eligible for ordinary Membership of the Association, and can become one on approval by the Committee of the person's application in the form specified in Schedule 1, and payment of the annual subscription as specified in Clause 5(c). An Ordinary Member shall have voting rights in all meetings and referenda of the Association.

(c) Associate Membership, which entitles the person to participate in the social and cultural activities of the Association without voting rights in meetings and referenda, is open to:

- (i) Children and other dependents of an Ordinary Member belonging to the member's household; and
- (ii) Any person who does not normally reside in A.C.T. and its surroundings, and the members of the person's family, who wish to be associated with the Association, receive its publications and participate in its activities during occasional visits to Canberra.

The application for Associate Membership of children and other dependents belonging to the household of an Ordinary Member can automatically be included in the latter's application in the form of Schedule 1. The form for Associate Membership application is given in Schedule 2. A person becomes an Associate Member on approval of the application by the Committee and payment of the annual subscription as specified in Clause 5(d)

(d) There shall be Two four categories of membership subscriptions:

- (i) Ordinary individual; (ii) Associate individual; (iii) Ordinary family; (iv) Associate family.

The Ordinary or Associate family membership subscription will cover the Ordinary or Associate membership, as the case may be, of the head of the household and the spouse, and the Associate membership of all dependent children below the age of 18 years. The annual individual and family membership subscriptions shall be determined by the General Body in the Annual General Meeting, for the ensuing financial year. New members joining after 1 January may be allowed to pay reduced subscription by the Committee for the remaining part of the financial year.

(d) Each year the Committee may elect up to six 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 will he be required to pay the membership subscription.

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

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

(iii) If the person moves away permanently from his residence in A.C.T. and its surroundings. In this case committee shall use its discretion in deciding when the loss of membership becomes active..

(iv) 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 position, and his explanation, if any, shall be forwarded to the General Body along with the recommendations of the Committee.

## **VOTING RIGHTS**

6. (a) All financial 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 to become a candidate, a proposer or seconder in the election of the members of the Executive Committee in the annual general meeting at the end of the financial year, the Ordinary Member must have joined the Association before the preceding 31 March.

## **THE EXECUTIVE COMMITTEE**

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

(b) The members of the Executive Committee for a financial year shall be elected in the annual general meeting at the beginning of the financial year, in the manner prescribed in Clause 14.

(c) If a member of the Committee fails to attend three consecutive meetings of the Committee without intimation and approval by the President, the Committee at its discretion may terminate the person's membership of the Committee. Before such termination the member shall be given an opportunity to explain the position in response to a "show cause" notice served on the member by the Committee. Occasions on which a member fails to attend a meeting of the Committee without prior approval shall be minuted.

(d) 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, subject to the provisions of clause 7(e) and 7(f) below. The Committee shall call for nominations from the General Body and will select one of the nominees to fill the vacancy.

(e) If a vacancy occurs in any one of the positions of President, Vice-President, Secretary and Treasurer, the Committee shall first fill that position by election from among its membership,

and then fill the resulting vacancy by selection from the General Body, as provided in Clause 7(d).

(f) If three or more vacancies arise in the Executive Committee simultaneously, they will be filled by election in a meeting of the General Body convened specially for the purpose.

(e) The Executive Committee shall have the right to co-opt members from the General Body, when necessary, to assist the Committee in its work and meet special needs. In particular, it shall co-opt a member who shall have been the President, or Vice-President, or the Secretary, or the Treasurer of the previous financial year if none of them were elected to the new Committee, and it shall co-opt a member associated with the Australian National University as a student or a staff member if none of the elected members of the new Committee belong to this category. The co-opted members will not have voting rights in the meetings of the Committee.

(f) Any or all members of the Executive Committee can be removed from office by a majority decision of a meeting of the General Body convened specially for the purpose

## **DUTIES OF THE EXECUTIVE COMMITTEE**

8. (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 deems necessary in the interest of the Association. Notice of such action shall be given to the Committee members as soon as practicable.

(f) The Vice-President shall, in the absence of the President, undertake the duties and exercise the powers of the President.

(g) The Secretary shall –

- (i) be the Public Officer of the Association;
- (ii) Maintain a Register of Members which shall be updated every year before 30th June , and which shall contain the particulars of each member as provided in his/her application for membership; and will contain information about a person, their name and contact details, the class of their membership, the date the person became a member of the *association* or anything else required by the *association's* rules of regulation. Association will restrict access to such personal information, if desired by the member
- (iii) Prepare a list of voters within two weeks after 31 March, 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;
- (v) Send the notices 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 consultation with the treasurer, produce all bills before the Committee for payment approval; and
- (viii) 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.
- (ix) Secretary will provide to a General Body member of the association on request copies of a variety of documents relating to the association including a current statement of objects of the association, copy of the rules of association that are in force, copy of the deeds of any trust relevant to the association or a summary or the minutes of the meeting of a committee. This change allows members easy access to share and source information for the association. The association has the discretion to charge a fee for this service.

(h) The Treasurer shall -

- (i) Collect the annual membership subscriptions and help the secretary in maintaining and up-dating the Membership Register and in preparing the list of voters. as per clause 8(c)(ii) and Clause 8(e)(iii); will be payable
- (ii) Keep detailed accounts of all income and expenditure of the Association;
- (iii) Examine all bills and produce them before the Committee through the Secretary, and present and ratify accounts in every meeting of the Committee; and prepare a statement of accounts as at 30 June and submit the necessary documents to the Committee 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.

(ii) Other members of the Committee shall perform such duties as are assigned to them from time to time.

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

- (i) An Auditor at the beginning of the year, who will edit and supervise the publications of the Association during that year; and
- (ii) 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 and Clause 7(f).

### **Meetings of the Executive Committee**

9. (a) The Executive Committee shall meet at least once every two months.

(b) The meetings will normally be convened by the President as per Clause 8(c)(ii). 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.

(c) For normal meetings of the Committee notice of a minimum of seven days will be given. In an emergency a meeting can be called on twenty four hours' notice.

### **Meetings of the General Body**

10. (a) The annual general meeting (AGM) of the Association shall be held within three months weeks after the end of the financial year i.e latest by Mid July. End August

(b) Not less than two weeks, notice shall be given for each other meeting of the General Body.

(c) The secretary shall arrange the notice of the AGM to be communicated to the financial Ordinary members before 15 June, 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 financial 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.

## **QUORUM**

11. (a) The quorum of a meeting of the Executive Committee shall be five, of which at least two shall hold the positions referred in Clause 7(a)(i) to 7a(iv).

(b) The quorum for a meeting of the General Body convened after due notice shall be one-fifth of the total number of financial members.

(c) In the event that a meeting of the General Body or of the Executive Committee cannot be held for lack of quorum, in which no quorum shall be necessary. The notice period of such re-convened meetings shall be one week for the General Body meetings and three days for the Executive Committee meetings.

## **Seal of the Association-**

The association is under no compulsion to have a common seal. In case the association wants to use the common seal, they may.

## **12. Bank Accounts and Postal Address**

(a) The bank accounts of the Association shall be in the name of the Association, and shall be operated by the Treasurer, and either the President or the Secretary.

(b) The Association shall maintain a Post Office Box which shall be its official postal address. The number and location of this box shall be on all correspondence sent out by the Association. The keys of the Post Box shall normally be kept by the Secretary and the Treasurer.

## **Celebrations**

13. (a) The Association shall endeavour to organise the celebration of~

(i) India's Independence Day (15 August);

(ii) India-Australia Day (26 January);

(iii) Any other occasion which at least a third of the financial Ordinary and Associate Members request the Committee, to Celebrate.

(b) The Committee shall organise other cultural and social functions for the benefit of the members. (c) The exact date of each celebration will be set by the Committee to suit factors such as proximity to weekends and other holidays, and availability of facilities.

### **Election of the Executive Committee**

14. (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 3, 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 in Schedule 4, 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.

(i) For the positions referred in Clause 7(a)(v), if more than six valid nominations had been received, the ballot paper shall include their names, and the first six 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 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.

(f) For election under the provision of Clause 7(f), the procedure shall be an appropriate adaptation of the above.

### **Amendments of the Constitution**

15. (a) Amendments to the Constitution can be proposed by

(i) one-quarter of the financial ordinary Members in a petition to the Committee; or by  
(ii) The Executive Committee.

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

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



## **DISPUTE SETTLEMENT**

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 grievance and help them in settling the dispute.

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 and their decision will be final.

In case the members are not satisfied with the solutions suggested by the Executive Committee or the General Body, to resolve the dispute, the Executive Committee is empowered to take disciplinary actions against such members, and if deemed fit, remove them from the membership of the Association to avoid embarrassment to the association. In case the removed member feels that the decision of the Executive Committee or the General Body is arbitrary then he may refer the matter to Access Canberra, the registering authority for their help.

## **Dissolution**

17. 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.

## **Commencement**

This Constitution shall come into operation on 12 March, 1979.

**SCHEDULE 1**

**Application for Membership**

The Secretary Date:

India-Australia Association of Canberra

P.O. Box No.593

Civic Square, A.C.T, 2601

I hereby apply for ordinary individual/family membership of the India-Australia Association of Canberra, and enclose herewith \$..... as membership subscription for myself/my family for the year..... . I undertake to abide by the rules of the Association.

Particulars of the family Signature:

(to be filled by an applicant  
for family membership); Postal Address:

Name of the Spouse:

Name.....

Address.....

Occupation.....

Names of dependent children below the age of 18:

1 . .....

2 . .....

Telephone: (H)..... (W).....

E Mail .....

Note: Please give all particulars in block letters.

**Schedule 2**

**Application for Associate Membership**

The Secretary Date .....

India-Australia Association of Canberra

P.O. Box 593

Civic Square, A.C.T. 2601

I hereby apply for associate individual/family membership of the India-Australia Association of Canberra and enclose herewith \$ .... as membership subscription for myself/my family for the year. I undertake to abide by the rules of the Association.

Particulars of the family Signature

(to be filled by an applicant

for family membership): Postal Address:

Name of Spouse.....

Telephone: (H)..... (W).....

Name of the dependent children:

1.....

2.....

Note: Please give all particulars in block letters.

**Schedule-3**

**INDIA AUSTRALIA ASSOCIATION OF CANBERRA INC.**

**Form for Nomination of a Candidate to a Position in the Executive Committee ( to be filled in Block Letters )**

1. I hereby nominate .....Propose the name of Mr. /Mrs. /Ms.....\* for the position of .....\*\*

.....  
Name of the proposer in Block Letters

.....  
Signature and name in block letters of the Proposer:

Date:

2. I hereby second the above proposed name nomination.

.....  
Name of the seconder

.....  
Signature of the Seconder

Date:

3. I hereby accept the 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**

### **Ballot Paper**

#### **India-Australia Association of Canberra Inc**

Candidate for Election

President: Name of the first nominee [ ]

Name of the second nominee [ ]

Vice-President: Name of the first nominee [ ]

Name of the second nominee [ ]

Secretary: Name of the first nominee [ ]

Name of the second nominee [ ]

Treasurer: Name of the first nominee [ ]

Name of the second nominee [ ]

Members of the Executive Committee (six to be elected):

Name of the first nominee [ ]

Name of the second nominee [ ]

Instructions to the voter:

Put across, as in [x], in the box following the name of the candidate you wish to elect.

Do not vote for more than one in each of the first four categories, and more than six in the last category



**SCHEDULE - 5**

**PROXY FORM**

**INDIA AUSTRALIA ASSOCIATION OF CANBERRA**

I ..... express my inability to come in person

To vote at the annual elections of the Executive Committee of the India Australia Association of Canberra 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