

GUJARATI CULTURAL SOCIETY

(Regd: Charity No: 1014366 dated 24.9.1992)

CONSTITUTION: (amended March 2006, *amendments in italics.*)

1: NAME: Gujarati Cultural Society.

2: ADDRESS: To be fixed. Till than the Secretary's home address- 55 Manor Hill,
BRIGHTON. East Sussex. BN2 5EL (U.K.)

3: OBJECTS & POWERS:

The Society is established to:-

- (a) Advance the HINDU religion, (in particular but without prejudice to the generality of the foregoing by observing the due religious festivals and providing facilities for Hindu religious education).
- (b) Provide facilities for recreation and leisure time occupation in the interests of social welfare with the object of improving the conditions of life of the Gujarati Community.
- (c) Advance the education of the Gujarati Community.

IN FURTHERANCE OF SUCH OBJECTS BUT NOT OTHERWISE THE SOCIETY SHALL HAVE THE FOLLOWING P O W E R S:-

- (i) To employ and pay any person or persons to supervise, organise and carry on the work of the Society and make all reasonable and necessary provision for the payment of pensions and superannuation to or on behalf of employee and their widows and other dependants.
- (ii) To bring together in conference representatives of voluntary organisations, Government Departments, Statutory authorities and individuals.
- (iii) To promote and carry out or assist in promoting and carrying out research, survey and investigations and publish the useful results of such research, surveys and investigations.
- (iv) To promote and hold or assist in promoting and holding Festivals in celebration of the Hindu Religion.
- (v) To arrange and provide for or join in arranging and providing for the holding of exhibitions, meetings, lectures, seminars, and training courses.
- (vi) To collect and disseminate information on all the matters affecting such objects and exchange such information with other bodies having similar objects whether in the country or overseas.
- (vii) To undertake, execute, manage, or assist any charitable trusts which lawfully be undertaken, executed, managed or assisted by the society.
- (viii) To procure to be written and print, publish, issue and circulate gratuitously or otherwise such papers, books, periodicals, pamphlets, or other documents or films or recorded tapes as shall further such objects.
- (ix) To purchase, take or lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary for the promotion of such objects and construct, maintain and alter any buildings or erections necessary for the work of the society.
- (x) Subject to such consents and may be required by law, to make regulations for any property which may be acquired, sell, mortgage, dispose of or turn to account all or any of the property or assets of the Society.
- (xi) To accept gifts and borrow or raise monies for such objects on such terms and on such securities as shall be thought fit.

- (xii) To procure contributions to the Society by personal or written appeals, public meetings or otherwise.
- (xiii) To invest the money of the Society not immediately required for such objects in or in such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed or required by law.
- (xiv) To do all such lawful things as are necessary for the attainment of such objects.

4: MEMBERSHIP:

- (a) Open to all persons wishing to advance the objectives of the Society, subject to approval of the Executive Committee.
- (b) Membership fees shall be decided by the Executive Committee from time to time.
- (c) The following classes of members will exist:-
 - (i) FULL MEMBERSHIP: All members who have paid the annual subscription.
 - (ii) ASSOCIATE MEMBERSHIP: Any other person who has not paid the said annual subscription.
 - (iii) LIFE MEMBERSHIP and DONER MEMBERSHIP- may be granted at the discretion of the Executive Committee.
- (d) Only members over 18 years and who are either FULL or LIFE members shall be eligible to vote at the General Meetings of the Society and be a member of the Executive Committee.
- (e) Any member desiring to resign from the Society shall submit his resignation to the Secretary, which shall take effect from the date of receipt by the Secretary of such notice.
- (f) Any member may be expelled from the membership if the committee so recommends and if a general meeting of the Society shall resolve by a two thirds majority of the members present that such member should be expelled on the grounds that his conduct has adversely affected the reputation or dignity of the Society, or that he has contravened any of the provisions of the Constitution of the Society. The Executive Committee shall have power to suspend a member from his membership until the next General meeting of the Society. Following such suspension but notwithstanding such suspension a member whose expulsion is proposed shall have the right to address the General meeting at which his expulsion is to be considered. Any person who resigns or is removed from his membership shall not be entitled to a refund of his subscription or any part thereof or any monies contributed by him at any time.
- (g) Any member who falls into arrears with his annual subscription for more than six months shall automatically cease to be a member of the Society and his name shall be struck off the register of members. The committee may however, at its discretion, reinstate such a member on payment of the total amount of subscription outstanding.
- (h) Every new candidate for the membership must be proposed by a member of the Society.
- (i) Every member of the Society shall, subject to those rules and by-laws for the time being in force, be entitled to use and enjoy the premises and facilities of the Society but shall not by reason of his or her membership be under any financial liability except for payment of annual subscriptions. Such annual subscription shall be such sum as the committee from time to time decide and shall be payable by the 31st December of each year.

LIFE MEMBERSHIP of the Society may be bestowed at the discretion of the Committee upon any member upon payment of such sum as the Committee may from time to time decide.

5: OFFICE BEARERS

(a) The office bearers of the Society shall be:

- | | |
|---------------------|------------------------------|
| (i) The President | (ii) The Vice President |
| (iii) The Secretary | (iv) The Assistant Secretary |
| (v) The Treasurer | (vi) The Assistant Treasurer |

All of whom shall be elected at the General meeting to be held in each year.

(b) All office bearers may hold office from the date of election until his turn to resign on rotation during Annual General Meeting, (see 9f), subject to the conditions contained in subparagraphs (c) and (d) of this rule.

(c) Any office bearer who ceases to be a member of the Society shall automatically cease to be an office bearer thereof.

(d) Office bearers may be removed from the office in the same manner as is laid down for the expulsion of the members in rule 4(f) and vacancies thus created shall be filled by the persons elected at the General meeting resolving the expulsion.

(e) Vacancy in the Management Committee: if any member of the Management Committee will remain absent, even though notified of the meeting and its place and time, for TWO consecutive meetings without any written information, the Secretary shall inform the said member at the third meeting of his absence, and in spite of that, he still remains absent, he shall cease to be a member of the Management committee and it will be filled by the management committee, BUT if such vacancy is of the President, than it shall only be filled by the General Meeting.

6: DUTIES OF OFFICE BEARERS:

- (a) THE PRESIDENT: The President shall, unless prevented by illness or other sufficient cause, shall preside over all the meetings of the Committee and at all General Meetings. He shall have the power to make emergency decisions for the Society but only in the best interests of the Society and must obtain the Executive Committee's ratification for such decisions at the next Committee Meeting held.
- (b) THE VICE PRESIDENT: the vice president shall perform any duties of the President in his absence.
- (c) THE SECRETARY: the secretary shall deal with all the correspondence of the Society under the general supervision of the Committee. In case of urgent matters where the committee cannot be consulted, he shall consult the President if he is not available, Vice President AND the decision reached shall be subject to ratification or otherwise at the next committee meeting. He shall issue notice concerning all the meetings of the committee and all general meetings and shall be responsible for keeping minutes of all such meetings and for the preservation of all records of the proceedings of the Society and of the Committee.
- (d) THE ASSISTANT SECRETARY: in the absence of the Secretary, the shall perform all the duties of the Secretary and such other

- duties as shall be assigned to him by the Secretary or the committee, whether the Secretary is present or not.
- (e) THE TREASURER: the treasurer shall receive and shall disburse under the direction of the committee all monies belonging to the Society and shall issue receipts for all the monies received by him and preserve vouchers for all the monies paid by him. The treasurer is responsible to the committee and to the members that proper books of account of all monies received and paid by the Society are written up, preserved and available for inspection.
 - (f) THE ASSISTANT TREASURER: the assistant treasurer shall perform such duties and may be specifically assigned to him by the Treasurer or by the committee and in the absence of the Treasurer shall perform duties of the Treasurer.

7: THE EXECUTIVE COMMITTEE:

- (a) *The executive committee shall consist of all office bearers of the Society and SIX other members elected at the Annual General Meeting. in each year.*
- (b) Any casual vacancies for the members of the executive committee caused by death or resignation may be filled by the committee until the next annual general meeting of the society.
- (c) Vacancies caused by members removed from the office will be dealt with according to rule 5(d).
- (d) *APPOINTMENT of Executive Committee: The Secretary shall request members to submit their nominations for Membership of the Committee at lease 7 days before the AGM. The Members shall elect no more than 12 committee Members at the AGM.*
- (e) The Committee Members will elect Office Bearers from the Committee at or immediately after the AGM.
- (f) The Committee is empowered to CO-OPT up to FIVE full members to the Committee BUT such co-opted member shall not be eligible to vote at any Committee Meetings.

8: DUTIES OF THE EXECUTIVE COMMITTEE:

- (a) The committee shall be responsible for the management of the Society and for that purpose may give directions to the Office Bearers as to the manner in which under the law, they shall perform their duties. The committee shall have power to appoint such sub-committees as it may deem desirable to make reports to the Committee upon which such action shall be taken as seems to the Committee desirable.
- (b) All monies disbursed on behalf of the Society shall be authorised be the Committee.
- (c) The QUORUM at all General Meetings shall be 20% of the Full Members.
- (d) *The Quorum for the Management Committee shall consist of FIVE members.*
- (e) If thirty minutes after the appointed time if no Quorum then general or management committee meeting shall be postponed for a period of no less than 48 hrs.
- (f) When the postponed meeting will meet, the Quorum rule as above mentioned shall not become applicable and the work of the meeting be transacted by the members present.
- (g) The committee may from time to time make, vary or revoke bylaws (not inconsistent with these rules) for the regulation of the internal affairs of the Society including the engagement and dismissal of paid servants. Such bylaws shall be binding on the members.
- (h) The committee shall have power to expel or suspend any member who shall offend against the rules of the Society or whose conduct to Society shall, in the opinion of the Committee, render him or her unfit for membership thereof.

9: GENERAL MEETINGS

(a) There shall be two classes of general meetings – ANNUAL GENERAL MEETINGS and SPECIAL GENERAL MEETINGS.

(b)

1: THE ANNUAL GENERAL MEETING shall be held not later than 31st December in each year. Notice in writing of such AGM and agenda for the meeting shall be sent to all members NOT less than 21 days before the date of the meeting, and where stipulated by the Committee, by press advertisement NOT less than 14 days before the date of the meeting.

2: The agenda for the AGM shall consist of the following:-

a- Confirmation of the minutes of the previous AGM.

b-Consideration of the accounts of previous year.

c-Election of Office Bearers and Committee Members, (and custodian Trustees where necessary).

d-Appointment of Auditors.

e-Such other matters as the Committee may decide or as to which notice shall have been given in writing by a member or members to the Secretary at least THREE weeks before the date of the meeting.

f-Any other business with the approval of the PRESIDENT.

(c) A SPECIAL GENERAL MEETING may be convened at any time and shall be convened within 21 days on the requisition of THIRTY full members of the Society. Such requisition must state the purpose for which such a Meeting is required. The Secretary, shall at least 7 days before any General Meeting, give notice thereof to the members at the members last recorded address stating the date, place and the time of such meeting.

(d) At all General meetings of the Society the voting shall be by hand or by ballot as the committee may decide and every full member shall be entitled to be present and to give one vote and no more upon every question put to the vote provided, however, that in case of equality of votes the PRESIDENT of the meeting shall have a second and casting vote.

(e) Not more than 15 months should elapse without an Annual General Meeting.

(f) *At each AGM, 25% (THREE), of the committee member will retire, on rotation, (to be decided by the committee), but shall remain eligible for re-election forthwith.*

(g) Audited accounts of the financial affairs of the Society shall be made available to the members at AGM or upon written request for same being made to the Secretary, provided always in later case a reasonable charge, to be decided by the Committee, may be made to defray the cost thereof.

(h) If there is any debatable subject for discussion before the meeting and any member request that the votes shall be taken by ballot, the counting of votes for or against such proposition shall be by a ballot.

(i) All members of the Management Committee and General Meeting shall have to abide by the decision made and passed by a majority.

(j) No member shall be eligible to be elected to the Management Committee unless he is personally present at the time of election OR has given his consent in writing to his election.

10: PROCEDURE AT MEETINGS:

(a) At all meetings of the Society the President, or in his absence, the Vice President, or in the absence of both of these officers, a member selected by the meeting shall take the chair.

(b) The CHAIRMAN may at his discretion limit the number of persons permitted to speak in favour of and against any motion.

(c) Resolutions may be decided by simple voting by show of hands and in case of equality of votes, the Chairman shall have a second casting vote.

(d) Committee meetings shall be held at intervals of between 4 and 6 weeks.

11: HOLDING TRUSTEES:

- (a) All land, buildings and other immovable property and all investments and securities which shall be acquired by the Society shall be vested in the names of not less than TWO Holding Trustees, who shall be full members of the Society and shall be appointed at an AGM for THREE years. Members of the managing committee may also be appointed as Holding Trustee at an AGM. On retirement, such Holding Trustees shall be eligible for re- election. A general meeting shall have power to remove any of the Holding Trustees and vacancy thus occurred by removal, resignation or death, shall be filled at the same or next General Meeting.
- (b) Holding Trustees shall pay all income received from property vested in the trust to the Treasurer. Any expenditure in respect of such property, which in the opinion of Holding Trustees is necessary or desirable shall be reported by the Holding Trustees to The Committee, which shall authorise expenditure of monies as it thinks fit.
- (c) The management of the property of the Society and the exercise of all powers and discretions exercisable under this Constitution shall remain vested in the Committee and the Holding Trustees shall concur in and perform all acts necessary to enable the Committee to exercise its powers of management and any other power or discretion vested in the Committee unless the matter in which they are requested to concur is a breach of trust or involves personal liability upon them and unless they so concur, the Holding Trustees shall not be liable for any act or default of the Committee.

12: AUDITOR:

- (a) An auditor shall be appointed for the following year by the committee meeting. All the Society's accounts, records and documents shall be open to the inspection of the Auditor at any time. The Treasurer shall provide an account of his receipts and payments and a statement of assets and liabilities made up a date which shall not be less than one week and not more than six months before the date of the date of AGM. The auditors shall examine such annual accounts and statements and either certify that they are correct, duly vouched and in accordance with the law or report to the Society in what respect they are found to be incorrect, vouched or not in accordance with the law.
- (b) *A copy of the Auditor's report on the accounts and statements together with such accounts and statements shall be made available to the members before the AGM, by the managing committee.* *only change*

13: FUNDS and BORROWINGS:

- (a) The funds of the Society may only be used for aims and objects stated before in 3.
- (b) All monies and funds shall be received by and paid to the Treasurer and shall be deposited by him in the name of the Society in any Bank or Banks approved by the Committee.
- (c) No payment shall be made out of the bank account in excess of £100/=without a resolution of the committee authorising such payment and all cheques on such Bank account shall be signed by any TWO of the Treasurer, Assistant Treasurer, Secretary or The President.
- (d) Any amount may be kept by the Treasurer for petty disbursements as approved by the Managing Committee from time to time for which proper accounts shall be kept.
- (e) The Committee shall have power to suspend any office bearer who it has reasonable cause to believe is not properly accounting for any of the funds or property of the Society and shall have power to appoint another person in his place. Such suspension shall be reported to a General meeting to be convened on a date not later than TWO months from the date of such suspension and the General meeting will have full power to decide what further action should be taken in the matter.
- (f) The financial year of the Society shall be from 1st December to 31st November of the following year.

- (g) If at any time the Society in General Meeting shall pass a resolution authorising the Committee to borrow money, the Committee shall there upon be empowered to borrow for the purpose of the Society such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution and there upon the Trustees shall, at the direction of the Committee make all such dispositions of the Society's property or any part thereof and enter into such agreements in relation thereto as the Committee may deem proper for giving security for such loans and interest. All members of the Society, whether voting on such resolution or not and all persons becoming members of the Society after passing of such resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.

14:AMENDMENTS to the CONSTITUTION:

Any alterations of this Constitution shall receive the assent of not less than two thirds of the members of the Society whether individual or representative present and voting at a meeting specially called for the purpose provided that notice of any such alteration shall have been by the Secretary in writing NOT less than 21 clear days before the meeting at which the alteration is to be brought forward. At least 14 clear days notice in writing of such meeting setting for the terms of the alteration to be proposed shall be sent to each member of the Society provided that no alteration shall be made to clause 15 of this clause without the written approval of the Charity Commission and provided that no alteration shall be made which would have the effect of causing the Association to cease to be a Charity by law.

15:DISSOLUTION:

- (a) The Society shall not be dissolved except by resolution passed at a General Meeting of members by a vote of two thirds of the members present of which meeting not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given.
- (b) If such decision shall be confirmed by a two third majority of those present and voting at such meeting, the Managing Committee shall have power to dispose of any assets held by or on behalf of the Society. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Society as the Managing Committee may determine. And if in so far as effect cannot be given to this provision than with the approval of the Charity Commission to some other charitable purpose.

16: INSPECTION of ACCOUNTS and LIST of MEMBERS:

The books of accounts and all the documents relating hereto and a List of Members of the Society shall be available for inspection at the Registered Office of the Society by any member of the Society on giving not less than seven days notice in writing to the Society.

*****XXXXXXXXXX*****