

United Sikhs of South Australia Inc.

Constitution

ਸੁਭ ਕਰਮਨ ਤੇ ਕਬਹੂੰ ਨ ਟਰੋ

Shubh Karman Te Kabhun Na Taro

Never to deviate from doing a good deed

1.0 NAME:

The name of the Association is “United Sikhs of South Australia Inc.” hereinafter referred to as the “Association”. The Association will be a not-for-profit organisation.

2.0 OBJECTS

2.1 RELIGIOUS AND SPIRITUAL

2.1.1 To advance knowledge and understanding of Sikh religious and spiritual teachings to Sikhs living in South Australia and maintenance of the doctrines that serve to promote and manifest Sikh faith.

2.1.2 To follow ‘SGPC Rehat Maryada’ for all religious affairs & to be implemented & observed by 5 Amritdhari individuals.

2.1.3 Hold regular Diwans (congregational services)

2.1.4 Commemorate Gurburbs (religious and historical events)

2.1.5 Conduct marriage, funeral, and other religious ceremonies;

Conditions: The stage of the Gurdwara shall not be used for any political purpose or electioneering.

2.2 SOCIAL & EDUCATIONAL

2.2.1 To establish goals with a view to:

2.2.1.1 Helping the needy, disadvantaged and the aged.

2.2.1.2 Providing facilities for Gurmukhi and religious teachings.

2.2.1.3 Encouraging educational activities for and by the youth.

2.2.1.4 Promote Guru Sahib’s teachings for gender equality.

2.2.1.5 The advancement of education among members of the Sikh community in South Australia (including in connection therewith the provision and maintenance of a library)

3.0 ATTAINING OBJECTS

The Association shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the Association.

4.0 NON-PROFIT CLAUSE

The assets and income of the organisation shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation.

5.0 POWERS OF THE ASSOCIATION:

5.1 To acquire, hold, deal with, and dispose of any property;

5.2 To open and operate two bank accounts:

(i) for Operational Matters

(ii) for Building Fund

5.3 To invest its money –

(i) in any security in which money may be invested; or

(ii) in any other manner authorised by the rules of the Association;

5.4 To borrow money upon such terms and conditions as the Association thinks fit;

5.5 To give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;

5.6 To appoint employees to transact any business of the Association on its behalf;

- 5.7 To build, construct, erect, maintain, alter and repair any premises, building or other structure of any kind and to furnish, equip and improve the same for use by the Association;
- 5.8 Accept donations and gifts in accordance with the objects of the Association;
- 5.9 Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Association;
- 5.10 Provide recognitions in accordance with the objects of the Association;

6.0 MEMBERSHIP:

- 6.1 Membership shall be open to any person who is 18 years old and wishes to further the interests of the Association.
- 6.2 Any person seeking membership shall make application to the Management Committee, and the Management Committee shall determine whether the application is successful or not.
- 6.3 Each person admitted to membership shall be;
 - 6.3.1 Bound by the Constitution and By-laws of the Association.
 - 6.3.2 Come liable for such fees and subscriptions as may be fixed by the Association.
 - 6.3.3 Entitled to all advantages and privileges of membership.
- 6.4 Membership Categories:
 - 6.4.1 INITIAL MANAGEMENT COMMITTEE MEMEBERS
These members are those members who jointly make Initial Management Committee. After 5 years of Incorporation, the initial management committee will fully dissolve.
 - 6.4.2 FOUNDER MEMBER
Founder members (Founder Membership open for only one year from the date of incorporation) will be those members who make a one-time payment of 'AU\$ Five Thousand' or more. Founder Member can contest in Management Committee Nomination if qualifies. Founder Member can maintain membership by paying monthly subscription of 'AU\$ Twenty-Five' after five years of joining. Founder members shall be acknowledged by placing his/her name plate at a specifically designated location within the Association Property in public area, like Library.
Note: A lapse in subscription for six months will result in cancellation of membership and restart of subscription will initiate new membership.
 - 6.4.3 FINANCIAL MEMBERSHIP (Type A)
One-time payment of 'AU\$ Three Thousand' and 'AU\$ Twenty-Five' monthly subscription after completion of five years from the date of start of membership.
Note: A lapse in subscription for six months will result in cancellation of membership and restart of subscription will initiate new membership.
 - 6.4.4 FINANCIAL MEMBER (Type B)
Initial payment of 'AU\$ Five hundred', plus monthly subscription of 'AU\$ Fifty' for five consecutive years and there onwards a monthly subscription of 'AU\$ Twenty-Five' at the completion of five year of joining.
Note: A lapse in subscription for six months will result in cancellation of membership and restart of subscription will initiate new membership.
 - 6.4.5 Honorary Member
Management Committee may decide to invite a person who has rendered meritorious services to the Sikh community or advanced the

Sikh religion, to become an Honorary Member. Honorary member shall not be eligible for contesting Management Committee Nomination; a person may only be invited to become an Honorary Member provided he/she is an Australian Permanent Resident and be able to secure unanimous approval of the Management Committee.

6.5 The Management Committee shall appoint a member of the Management Committee to maintain an up to date register of members of the Association.

6.6 All membership fees, subscriptions or donations paid will be non-refundable.

7.0 SUBSCRIPTIONS:

7.1 Not to be paid any later than the 7th day of each month.

8 TERMINATION OF MEMBERSHIP

8.1 One can lodge a written complaint against a Member with a refundable fee of 'AU\$ Two Hundred' and relevant evidence to the Management. If complaint is found to be baseless and not true, the fee will be forfeited otherwise refunded. If the complaint is found to be genuine Management will investigate the case as per clause 8.3. Management shall have right to make the outcome public.

8.2 Any person's membership may be terminated by the following events;

8.2.1 Resignation

8.2.2 Expulsion

8.2.3 a Member's membership fee remains unpaid after Six Months falling due;

8.3 Members shall be expelled in case of:

8.3.1 False or inaccurate statements made in the member's application for membership of the Association,

8.3.2 Breach of any rule, regulation or by-law of the Association and

8.3.3 Any act detrimental to the Association.

8.3.4 been convicted after having undertaken due inquiry.

8.3.5 Found to have done a deed bringing bad name to the Association.

8.4 Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

9 INITIAL MANAGEMENT COMMITTEE

9.1 Initial Management Committee Members will not bear any particular designation and will consist of following persons:

i) Karnail Singh

ii) Mandeep Singh

iii) Balraj Singh

iv) Gurshminder Singh

v) Paramjit Singh

vi) Gurmeet Singh

vii) Prabjit Singh Sandhu

viii) Amarpreet Singh Kohli

ix) Gurnam Singh Sambhy

9.2 Initial Management Committee, will have a fixed tenure of Five years from the date of Incorporation of the association.

- 9.3 After completion of first 5 years of the initial management committee, management of the Association shall be vested in the new Management Committee appointed in accordance of clause 13 of this document.
- 9.4 No person shall hold a position on the Management Committee for more than two terms. Each term is of two years' duration.
- 9.5 A member of the management committee may lose his or her seat on the committee for either of the following;
- Absence from three or more meetings without leave of absence.
 - Found not to be a financial member.

10 POWERS OF THE MANAGEMENT COMMITTEE

- 10.1 The Management Committee shall carry out the day-to-day running of the Association and shall have the power to:
- 10.1.1 Appoint a Public Officer.
 - 10.1.2 Administer finances collected for operations.
 - 10.1.3 Adjudicate on all matters brought before it which in any way affect the Association.
 - 10.1.4 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;
 - 10.1.5 Have the power to form and appoint any subcommittee/s as required for specific purposes;
 - 10.1.6 Should a vacancy occur on the Management Committee during the tenure the Management Committee shall appoint a successor until the next Annual General Meeting.

11 AUDITOR

- 11.1 The Annual General Meeting shall appoint an external Auditor.
- 11.2 The Auditor/s shall examine and audit all the books and accounts of the Association annually, and have the power to call for all books, papers, accounts, receipts etc., of the Association and report thereon.

12 GENERAL MEETINGS:

- 12.1 Annual General Meeting
- 12.1.1 The Annual General Meeting of the Association must be held within four months of the end of financial year.
 - 12.1.2 The Committee shall give at least fourteen (14) days notice of the date of the Annual General Meeting to members.
 - 12.1.3 All members may attend the Annual General Meeting.
 - 12.1.4 The agenda for an Annual General Meeting shall be;
 - Opening of Meeting
 - Apologies
 - Confirmation of Minutes of previous Annual General Meeting
 - Presentation of Annual Report
 - Adoption of Annual Report
 - Presentation of financial statement
 - Appoint a Returning officer who will be liable to conduct Management Committee Nominations in accordance with Constitution.
 - Appointment of Auditor
 - Determination of change in Membership Fee
 - Notice/s of Motion

- Urgent general business
 - Closure
- 12.2 General Meetings
- 12.2.1 General Meetings may be called by the Management Committee
- 12.2.2 The Committee shall give at least seven (7) days notice, in writing, of the date of the General Meeting to the members. Notice of General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that General Meeting.

13 Management Committee Nomination procedure

- 13.1 Nomination of members of new Management Committee
- 13.1.1 Eligible financial members can contest for Management Committee Nomination
- 13.1.2 Returning officer elected at the AGM will be liable to conduct Management Committee Nominations in accordance with the Constitution.
- 13.1.3 Person aspiring to contest in Management Committee Nominations shall be 18 years of age or above and shall be member who has maintained his/her membership for at least three years at the time of Nominations. He/she must be Permanent Resident of Australia and live in Adelaide Metropolitan (Including the Adelaide Urban District, the Adelaide Hills and Onkaparinga).
- 13.1.4 Member having a history of criminal conviction will not qualify to be nominated as member in Management Committee or hold office in any capacity.
- 13.1.5 Nomination must reach office at least four weeks prior to 'Management Committee Members Nomination Day' and list shall be posted on notice board at least two weeks prior to the Day.
- 13.1.6 All aspiring eligible contestants must be present on the Nomination day. These contestants will have their names written on a paper slip and mixed in a suitable container.
- 13.1.7 One or more children under the age of five chosen at random from the Sangat present in the Gurudwara on the Nomination day will pick nine paper slips with names written on them of eligible contestants.
- 13.1.8 The individuals whose names appear on the paper slips picked by the child/children will form the new management committee.

14 FINANCE:

- 14.1 All funds of the Association shall be deposited into the Association's accounts at such bank or recognised financial institution as the Management Committee may determine.
- 14.2 All accounts due by the Association shall be paid by cheque or any other appropriate means after having being passed by the Management Committee.
- 14.3 Any member shall not spend more than a set amount Petty Cash without the consent of the Management Committee, and shall keep a record of such expenditure in a Petty Cash Book.
- 14.4 A statement of collections, donations and budget/expenditure shall be made public every month.
- 14.5 A statement showing the financial position of the Association shall be tabled at each Management Committee Meeting.

- 14.6 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting.
- 14.7 The financial year of the Association shall commence on 1st of July, each year. The accounts, books and all financial records of the Association shall be audited each year.
- 14.8 All property and income of the Association will apply solely to the promotion of the objects of the Association and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members. The association being not for profit body, no member can attain personal gains from the association's finances or assets.

15 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS:

- 15.1 Alterations to the By-laws can be made only at Management Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.
- 15.2 Such motions, or any part thereof, shall be of no effect unless passed by a Seventy percent (70%) majority of committee members.
- 15.3 Within one month of the passing of a resolution, the Public Officer shall notify the relevant Government Body of the amendment.

16 DISSOLUTION

In the event of the organisation being dissolved, the funds that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual member e.g. All India Pingalwara Charitable Society.

17 LEGAL DISCLAIMER

This constitution is governed by the law enforced in the State of South Australia and can only be challenged under the Jurisdiction of the State of South Australia.