



Hindu Heritage Society [HHS] Inc.

Dedicated to Promote; Education, Arts and Heritage.

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CONSTITUTION.

(1) NAME

The name of the organization shall be **Hindu Heritage Society [HHS] Inc.**

(2) AIMS AND OBJECTIVES

The aims and objectives of the Society shall be to: -

- A - Promote the cultural, social and educational welfare of mankind.
- B - Impart education to both, children and adults, invite educated guests, Swami's and Priests to cultural functions where they will perform presentations and rituals as appropriate.
- C - Organize youth activities and provide assistance to those students who have difficulty researching in issues related to Hinduism.
- D- Organize performing arts and Visual arts presentations to promote the Indian Arts such as painting, Drawings, Music, & Dance.
- E - Establish Hindu Heritage Centers, Institutions and Reference Libraries, where these activities can be carried out regularly.
- F - Establish branches in state and interstate with similar aims and objectives and as the management committee may consider appropriate.
- G - Generate funds for use of the Society through appropriate activities and to help the needy and destitute in case of tragedy, disasters and emergencies.
- H - Establish World Wide Web of HHS and publish yearly, quarterly or monthly publications to promote the culture.

(3) INTERPRETATION

3.1 This document, except in so far as the context or subject matter otherwise indicates or requires –

- “Society” means Hindu Heritage Society Inc.
- “AGM” means the Annual General Meeting held in accordance with Clause 8 of this Constitution.

- “Committee” means the committee established in accordance with Clause 11 of this Constitution.
- “General Meeting” means a meeting held in accordance with Clause 9 of this Constitution. “Member” means a person whose name is entered in the Register.
- “Register” means the register of members under Clause 5.
- “Secretary” means – The person holding office as the secretary of the Society; or
- Where no such person holds that office, the Public Officer.
- “The Act” means the Corporations Act 2001 (Commonwealth).
- “The seal” means the common seal of the Society.

3.2 Provision of the Interpretation Act, 1987 apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

(4) MEMBERSHIP

4.1.1 Membership qualification

A person qualifies to become a member of the society if he/ she:

- (a) Follows or intends to follow and respect the constitution of the Society
- (b) is 18 years of age
- (c) has been nominated for membership of the Society as set out in this Constitution; and
- (d) has been approved for membership of the Society by the Committee or by the President
- (e) The Spouse and children under 18 years of age of all Active and Associate members will automatically become “Honorary” members of the Society..

4.1.2 Membership Category.

The membership categories shall consist of:

- (a) **Active member** – an Active member is one who must:
 - attend all Annual General Meetings of the Society
 - vote either by being present at AGM or SGM or by proxy
 - participate in any program decided or organized by the Society
 - follow all the rules and regulations as setout in constitution
- (b) **Associate member** – an associate member is one who must:
 - respect the constitution of the Society
 - at all times act in the best interests of the Society

- pay membership fees when they fall due
- Does not need to attend any meetings and sign membership form
- be identified as a advisors
- could change membership category to active member with consent of the Committee

(c) **Honorary member** – an Honorary member is one who must:

- as for Associate members
(does not need to pay any membership fee the Executive Committee shall reserve the right to nominate an Honorary member)

4.2 APPLICATION FOR MEMBERSHIP

4.2.1 Application for membership of the society shall be made to the secretary in writing in the form set out by the Society according to the Constitution (Appendix 1, as amended from time to time) and must be recommended for membership by a Member.

4.2.2 As soon as practicable after receiving an application for membership the Secretary shall refer the application to the Committee, which shall determine whether to approve or reject the application.

4.2.3 Where the Committee or the President determines to approve the application for membership, the Secretary shall, as soon as practicable after that determination, notify the applicant of such approval and request the applicant to pay within a specified period the sum payable by Annual Subscription as set out in clause 6.

4.2.4 The secretary shall upon payment by the nominee of the amounts referred to in clause 3 within the specified period, enter the applicant's name in the register and, upon the name being so entered; the nominee becomes member of the Society.

4.3 CESSATION OF MEMBERSHIP

A person ceases to be a Member if the person: -

- 4.3.1** dies;
- 4.3.2** resigns;
- 4.3.3** is expelled in accordance with this Constitution; or
- 4.3.4** fails to pay the membership fees when they fall due.

(5) REGISTER OF MEMBERS

5.1 The Secretary shall establish and maintain a register of the Members specifying the name and address of each person who is a member of the Society together with the date on which the person became a member.

5.2 The Register shall be kept at the principal place of administration of the Society and shall be open for inspection, by a Member at any reasonable hour by appointment with the Secretary.

(6) FEES, SUBSCRIPTION, ETC.

6.1 All Active and Associate members must on admission to membership pay to the Society an annual subscription fee.

6.2 Or five years subscription fee or a life membership fee as specified by the management committee.

(a) The Society reserves the right to review Subscriptions.

(b) Annual Subscriptions shall be applicable for a full calendar year.

(c) Any Subscription fees are non-refundable.

(7) DISCIPLINE OF MEMBERS

7.1 Where the Committee is of the opinion that a Member of Society has persistently refused or neglected to comply with the provision of this Constitution, or has persistently and willfully acted in a manner prejudicial to the interests of the Society, the Society, may by a resolution of the Committee:

(a) expel the Member; or

(b) suspend the Member for a specified period.

7.2 Once the Committee makes a resolution under Clause 7.1, the Secretary shall, within 14 days of the resolution, cause a notice in writing to be served on the member;

(a) setting out the Committee's resolution and the grounds upon which it was based;

(b) stating that the Member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after the service of the notice;

(c) stating the date, place and time of the meeting; and

(d) informing the Member that the Member may:

1- attend and speak at the meeting or

2- submit to the Committee at or before the date of that meeting written representation relating to the Committee's resolution.

7.3 At a meeting of the Committee held as referred to in Clause 7.2 the Committee shall:

(a) give the Member an opportunity to make oral representation.

- (b) give due consideration to any written representation submitted by the Member; and
- (c) by resolution, determine whether to confirm or revoke its earlier resolution.

7.4 The committee shall appoint and take advise from a disciplinary committee

- (a) the disciplinary committee shall exercise as setout in clauses 7.1, 7.2, and 7.3 of the constitution.

(8) ANNUAL GENERAL MEETING.

8.1 The Society shall in every calendar year convene an AGM of its Members.

8.2 The AGM - shall be held on such date and time as the Committee determines.

8.3 Notice of the AGM shall be given to all Members at the address appearing on the Register stating the time, place business and any resolutions to be discussed.

8.4 The ordinary business of the annual general meeting shall be:

- (a) To confirm the minutes of the previous annual general meeting and of any general meeting held since the last AGM
- (b) To receive from the Committee reports on the activities of the Society during the last financial year.
- (c) To elect officers of the Society and the ordinary members of the Committee and
- (d) To receive and consider the annual financial statement submitted by the Society.
- (e) The AGM may transact special business that has been raised as a resolution on the notice.

(9) GENERAL MEETING.

9.1 A General Meeting shall be called:

- (a) by a resolution of the Committee or
- (b) at the request of the President or
- (c) by the written request of not less than 10 members or 75 percent of membership, whichever is lesser, of the active members of the Society. Such a general meeting shall be held no less than 14 days or more than one month after the request or the resolution of the Committee is made. In the case of request by Members, the Members may convene the general meeting if a meeting has not been held within the required time.

9.2 Notice of Meeting :

14 days notice of a general meeting shall be given to Members at the address appearing in the Register stating the time, place and the business to be transacted at the general meeting.

9.3 The notice shall be served to an active Member:

- (a) in person;
- (b) by sending it to by post to the address of the Member in the Register or the alternative address (if any) provided by that Member; or by sending it to the fax number or publishing in internal newsletter/s, or electronic address of a Member.

9.4 Omission of notice:

the accidental omission to give notice of a meeting to or the non-receipt of notice of a meeting by any Member shall not invalidate any proceedings or resolutions at any meeting of the Society or any Committee thereof.

9.5 Chairperson of Meetings:

the President shall preside at all general meetings. In his/her absence or if unable to chair the meeting, a chairperson may be appointed for the meeting by the President.

9.6 Adjournment:

Members present at a meeting may agree to adjourn any meeting but no business shall be transacted at any adjourned meeting other than business left unfinished at the meeting from which the adjournment took place.

9.7 Voting:

each active member present is entitled to one vote. Resolution other than special resolution shall be carried by a majority vote of the members present. In the case of equality of votes the chairperson shall have a casting vote.

9.8 Division:

At any general meeting or AGM a declaration by the chair that a resolution has been carried or not shall be sufficient evidence of members voting intention unless three members call for the poll. When a poll is taken the number of votes in favour and against the resolution shall be recorded.

9.9 Proxies:

every Active Member shall be entitled to one vote at every General Meeting or AGM and may appoint any other member by proxy, which shall be deposited with the secretary at least twenty-four hours before the time of the meeting.

9.10 QUORUM AT GENERAL MEETING:

the quorum at general meetings shall be 33 percent of total members present. If within thirty minutes from the time appointed for the meeting a quorum is not present the meeting, if convened by request of members shall be dissolved, if not so convened, shall stand adjourned to the same day in the next week at the same time and place unless the Committee determines otherwise.

9.11 MINUTES:

Minutes of the proceeding of every general meeting shall be kept in principal place of the society and shall be available to the Members from the Secretary.

(10)

PATRONS:

10.1 Suitably qualified person/s shall be appointed as patrons by the Committee from time to time for such term as the Committee considers appropriate and such persons shall hold office until the person:

- dies; or
- resigns; or
- the term has expired; or
- brings or likely to bring the Society into disrepute or acts in a manner that is prejudicial to the interests of the Society; or
- is declared a bankrupt.

(11)

COMMITTEE:

11.1 The affairs of the Society shall be managed by the Committee constituted under Clause 12.

11.2 The Committee:

- (a) shall control and manage the business and affairs of the Society in accordance with this constitution and the Act, exercise all such powers and functions as may be exercised by the Society other than those powers and functions that are required by this constitution to be exercised pursuant to a general meeting.
- (b) shall perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Society.
- (c) may appoint sub-committees for such specific purposes, as it considers necessary from time to time.
- (d) such sub-committees will remain until the purpose is full filled and that sub- committee has submitted all necessary documents to the Committee
- (e) such Committee will have limitation in powers and the management committee shall allocate portfolios for the co-coordinators.
- (f) such appointed coordinators shall have write to appoint suitable person on their Committee
- (g) such Committee members will not have voting power unless they are active member of the Society.
- (h) the Committee may appoint sub-committees on a permanent basis.

(12)

OFFICE BEARERS:

The following positions, which shall constitute the Committee, shall be elected at an AGM:

- (a) President
- (b) Secretary
- (c) Treasurer
- (d) Five committee members
- (e) The posts of Assistants to the President, Secretary and Treasurer shall be held from within the five Committee members, based on seniority, experience and qualification.

(13) PUBLIC OFFICER:

The Treasurer shall be Public Officer and in the absence of the Treasurer, the Secretary shall act as the Public Officer.

(14) ELECTIONS and TERMS:

The Office Bearers shall be elected for a term of three years and an Office Bearer is eligible for reelection or election to another office.

(15) CASUAL VACANCY:

In the event of a casual vacancy occurring in the Committee, the Committee may appoint a person to fill the vacancy. In case of urgency (emergency situation) and the Committee is unable to meet on time, the President shall have the right to appoint suitably qualified person to fill the vacancy. The person so appointed shall hold office, subject to this Constitution, until the next AGM or up to the date of the substantive officers return.

(16) ELECTION OF OFFICE BEARERS:

16.1 Nominations of candidates for election of Office Bearers:

- shall be made in writing, signed by two Members accompanied by the written consent of the candidate (which may be endorsed on the front of nomination)
- shall be delivered to the Secretary not less than seven days before the date fixed for the holding of the AGM.
- If the number of nominations exceeds the number of vacancies, election by a ballot shall be held.
- The ballot for the election of officers and members of the Committee shall be conducted at the AGM in such usual and proper manner as the Committee may direct
- A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office at the same AGM.

16.2 An Office Bearer Position becomes vacant if the officer or Member:

- (a) dies or

- (b) ceases to be a Member or
- (c) is declared a bankrupt or
- (d) resigns his/her office by notice given to the Secretary or President or
- (e) fails to attend more than three consecutive meetings without the President's approval or
- (f) is removed under clause 17 of the Constitution.

(17) **REMOVAL OF MEMBER OF COMMITTEE:**

17.1 The Society in a General Meeting may by resolution remove any Office Bearer or Member of the Committee before the expiration of his / her term of office and appoint another Member in his / her stead to hold office until the expiration of the term of the first mentioned member.

17.2 The Member or Office Bearer may require the Secretary or President to send a copy of the representations to each member of the Society or if they are not sent the Member may require that they be read out at the meeting.

(18) **PROCEEDINGS OF COMMITTEE MEETINGS:**

18.1 The Committee shall meet at least three times in each year at such place and such times as the Committee may determine.

18.2 The quorum shall be 50% of all members

18.3 Questions arising at any meeting shall be decided by a majority of votes and in the case of any equality of votes, the chairperson shall have a second or casting vote

18.4 The President or any five-committee members may at any time summon a meeting of the Committee.

(19) **THE PRESIDENT:**

19.1 The President shall monitor proper running of the Society

19.2 Lead or represent the Society at public meetings/ conferences

19.3 Create any position or delegate to another person who the President believes to be fit and proper in any office with consent of that office bearer

19.4 Sign all legal documents in absence of any office bearer

(20) **QUALIFICATION OF THE PRESIDENT:**

The President of the Society shall:

- have some knowledge of Sanskrit Language

- have appropriate knowledge of Hinduism
- be of Hindu origin
- be a practicing Hindu priest or an active social worker
- have been an Active Member of the Society for at least 5 years.

(21) APPOINTMENT OF PRINCIPAL ADVISOR:

21.1 In the event that the President in the majority view of the Committee does not meet any of the qualifications set out in Clause 20, the Committee shall no later than 3 months from the date that the Committee forms this view, appoint a Principal Advisor who shall:

- in the Committee's opinion have extensive knowledge and experience in Hinduism
- be a practicing Hindu priest
- will support the aims and objectives of the Society

21.1.1 Powers of the Principal Advisor:

21.1.2 The Principal Advisor shall upon request of the Committee and /or the President provide such advice as is requested;

21.1.3 may override the decisions of the Committee or the President if he/she is of the opinion that it is in the best interests of the Society;

21.1.4 may at any time request the Committee to summon a General Meeting, if he/she considers it in the interests of the Society to do so;

21.1.5 may dismiss the President upon request of five members of the Committee who are of the unanimous opinion that the President has on at least three occasions brought the Society into disrepute or has made at least three decisions that were manifestly wrong. In such an event, the Principal Advisor shall assume all powers and authority of the President until a new President is elected.

21.1.6 may take over the functions of the Committee if requested to by at least 75 percent of Members.

Should any event set out in clauses 21.1.2 to 21.1.5 occur, the Principal Advisor shall cause a General Meeting to be called as soon as practicable but in any case no later than 60 days from the date of occurrence of the event.

(22) SECRETARY:

The secretary of the Society shall:

- (a) keep minutes of the resolutions and proceedings of each AGM, General Meeting and Committee meeting together with a record of the names of persons present at such meetings.
- (b) attend to all correspondence and

- (c) perform such other duties as the Committee or the President may prescribe.

(23) TREASURER:

The treasurer of the Society:

- (a) Shall collect and receive all money due and make all payments authorized by the Committee.
- (b) Shall keep correct accounts and books showing the financial affairs of the Society with full details of all receipts and expenditure.
- (c) The accounts and books referred to in sub-clause (b) shall be available for inspection by Members by appointment with Treasurer.
- (d) Shall produce annual accounts at the AGM.

(24) ADVISORY COMMITTEE:

24.1 The president shall upon consultation with the Secretary or the Treasurer appoint from time to time such advisors as the President considers necessary for the proper running of the Society. The President shall table all such appointments at the next meeting of the Committee.

24.2 Advisory committee member may or may not attend any meetings held by the Society. Advisory committee member shall not count as a quorum in any meeting and shall be regarded as a guest unless he /she has an Active Membership of the Society.

(25) FUNDS MANAGEMENT:

25.1 The Treasurer together with either the Secretary or the President shall sign all cheques, drafts, bills, of exchange, promissory notes and other negotiable instruments. If neither the Secretary nor the President is available then together with any member of the Committee.

25.2 Subject to any resolution passed by the Society in a General Meeting, the funds of the Society are to be used in pursuance of the objectives of the Society in such manner as the committee determines.

(26) SEAL AND THE LOGO:

26.1 The common seal and the logo of the Society shall be kept in the custody of the Secretary.

26.2 The Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Seal shall be attested by the signatures of Secretary together with either the President or the Treasurer.

(27) ALTERATION OF RULES AND STATEMENT OF PURPOSES:

No rule of the Society or statement of purposes shall be repealed or amended and no new rule shall be made except by a resolution having 75 percent of votes in favor at a General Meeting.

(28) CUSTODY OF RECORDS:

Except as otherwise provided in this Constitution, the Secretary shall keep and control all books, documents and securities of the Society. All such books, documents and securities shall be available for inspection by Members upon reasonable notice to the Secretary.

(29) FUNDS:

29.1 The funds of the Society shall be derived from entrance fees, annual subscriptions, tuition, donations and such other sources as the Committee may from time to time determine.

29.2 The Society must, as soon as practicable after receiving any money, issue an appropriate receipt.

(30) WINDING UP:

30.1 In the event of the winding up or the cancellation of the incorporation of the Society the assets of the Society shall be:

- (a)** Disposed of in accordance with the provisions of the Act or
- (b)** Shall be transferred to some other organisation or sister organisation having similar objectives to the objectives of the Society.