

CONSTITUTION OF THE HULL AND EAST RIDING HINDU CULTURAL ASSOCIATION

AN INTERNAL GOVERNANCE DOCUMENT

1. **NAME:** The name of the organisation will be ‘**Hull and East Riding Hindu Cultural Association.**’

2. **AIMS AND OBJECTIVES:**

- (a) To promote the understanding of **Indian and Hindu culture.**
- (b) To educate children and adults into the principles and practices of Hindu culture
- (c) To undertake activities which will further our objectives and promote racial harmony.

3. **POWERS:** In furtherance of the objects but not otherwise the managing committee may exercise the following powers:

- (a) Power to raise funds and to invite and receive contributions provided that in raising funds the managing committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law.
- (b) Power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use.
- (c) Power subject to any consent required by law to sell, lease or dispose of all or any part of the property of the association.
- (d) Power subject to any consent required by the law to borrow money and to change all or any part of the property of the association with repayment of the money so borrowed.
- (e) Power to employ such staff (who shall not be members of the managing committee) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for the staff and their dependants.
- (f) Power to co-operate with other organisations, charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them.
- (g) Power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects.
- (h) Power to appoint and constitute such advisory committees as the managing committee may think fit.
- (i) Power to do all such other lawful things as are necessary for the achievements of the objectives.

4. **APPLICATION FOR MEMBERSHIP:** Every member of the public at large may take part in the activities of the organisation. Individuals over the age of 18 years interested in furthering the objects of the association may apply for membership. The membership applications shall be considered by the managing committee and endorsed if acceptable. If the committee does not accept an application, the applicant

has the right to appeal to the next general meeting whose decision will be final. The membership year would run from 1st May to 30th April the next year.

No person shall be admitted to membership or be admitted as candidate for membership, to any of the privileges of membership, without an interval of at least two days between their nomination or application for membership and their admission.

Persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.

5. MEMBERSHIP: Membership of the association shall be classified as follows:

- (a) **FULL MEMBER:** Persons whose applications have been accepted by the managing committee and who have paid the required annual subscription.
- (b) **HONORARY MEMBER:** Distinguished people in any part of the world appointed at the discretion of managing committee and they shall not pay any subscription.
- (c) **PATRON:** The managing committee shall have the power to invite persons as patrons of the associations.
- (d) **LIFE MEMBER:** All members who pay a payment equivalent to prevailing ten years of full membership subscription shall be eligible for life membership at the discretion of the managing committee.

6. PRIVILEGES AND LIMITATIONS OF MEMBERS:

- (a) Members shall have the right to take part in all the cultural, social and educational activities of the association. They shall have the power to vote and/or be nominated for election of the managing committee.
- (b) Only the managing committee has the power to make any public announcement or to take any public action including any publication on behalf of the association. No individual member shall take any such action in the name of the association.
- (c) When a person has been accepted and has paid an annual or a life subscription, he/she shall be a member of the association and shall be deemed to have agreed to be bound by the rules and bylaws of the association.
- (d) Other than in the circumstances of private hire, only members, their children or the bone fida guests of members may be permitted to use the club premises and its facilities.
- (e) The club premises may be hired to non members subject to the written agreement of the managing committee. If the club premises are hired by non members for a function then at least one member of the management committee shall be in attendance.

7. SUBSCRIPTIONS:

- (a) All full members shall pay annual subscriptions as determined by the managing committee from time to time.
- (b) Life members shall pay equivalent to ten times the annual subscription to be payable once only.

- (c) The managing committee reserves the right to serve the notice on any members who's subscription has not been paid for one year and such a member shall not be entitled to any of the rights and privileges of the membership of the association until the payment of arrears have been made and accepted by the managing committee.
- (d) The managing committee may for special reasons wholly or partially remit or waive the payment of any subscription in any case and subject to any condition they may think fit to do so.

8. THE MANAGING COMMITTEE:

- (a) There shall be a managing either committee of not less than 11 members nor more than 16 members responsible for the association.
- (b) The managing committee shall be elected from and by the full/life members at the annual general body meeting (AGM) by majority of votes.
- (c) The managing committee shall consist of the following:
 - 1. Chairman
 - 2. Vice Chairman
 - 3. Secretary
 - 4. Assistant Secretary
 - 5. Treasurer
 - 6. Assistant Treasurer
 - 7. Managing Committee Members (Ten)
- (d) Any vacancy that exists in the managing committee shall be filled by the decision of the managing committee but any person so appointed to fill any vacant office shall retire from the office at the conclusion of the following AGM but shall be eligible for election.
- (e) No person who receives any pecuniary benefits from the association or who is a paid servant of the association (whether full or part time) shall be eligible to serve on the committee.
- (f) A member of the managing committee may appoint another member of the managing committee to be his/her proxy at any committee meeting except at the AGM.
- (g) The chairman will have power to have a second or a casting vote in the event of an equality of voting in any meeting.
- (h) All the members of the managing committee shall retire from the office together at the end of the AGM after the date on which they came into office but they may be re-elected or re-appointed.
- (i) The proceedings of the management committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.
- (j) Nobody shall be appointed as a member of the managing committee who is aged under 18 or who if appointed be disqualified under provision of the following clause.
- (k) No person shall be entitled to act as a member of the managing committee whether on a first or any subsequent entry into office until after signing in the minute book or the managing committee a declaration of acceptance and of willingness to act in the interest of the association.
- (l) Only one member per family should be in/on the managing committee.

9. DETERMINATION OF MEMBERSHIP OF THE MANAGING

COMMITTEE: A member of the managing committee shall cease to hold if he/she:

- (a) Is disqualified from acting as a member of the managing committee by virtue of section 45 of the Charities Act 1992 (or any statutory re-enactment or modification of the provision)
- (b) Become incapable by reason of mental disorder, illness or injury of managing and administering his/her own affairs.
- (c) Is absent without permission of the managing committee from all their meetings held within a period of six months and managing committee resolve that his/her office be vacated or
- (d) Notifies to the managing committee a wish to resign (but only if at least three members of the managing committee will remain in office when the notice of resignation is to take effect).

10. FINANCE: All money payable to the association shall be received and documented by the Treasurer. All funds belonging to the association shall (unless invested) be deposited in a Bank or Building Society account. Withdrawals from the society's account can be made by cheque signed by two out of three office bearers (the Chairman, the Secretary and the Treasurer) as dictated by the managing committee. The managing committee may invest any money not required for immediate use. The managing committee shall cause true accounts to be kept of the receipts, expenditures, assets, debtors, credits and liabilities of the association. It shall place, before the members of the association at each AGM, a properly drawn accounts and balance sheet as required under the Charities Act 1993 and with any current Statements of Recommended Practice issued by the appropriate regulatory body made up to date till the end of the previous financial year of the association (10th April each year).

The members of the association to raise funds for the association will use no association fund/money to organise social or recreational activities. All such activities will be entirely self-financing. No association money will be used in the event of any loss following such functions.

All monies gained arising out of the operation of the association will be applied to the aims and objectives of the association for the benefit of the members.

No arrangements are, or are intended to be, made for any person to receive at the expense of the club, any commission, percentage or similar payment on or with reference to purchase of alcohol by the club.

No arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefits from the supply of alcohol by or on behalf of the club to members or guests apart from any benefit accruing to the club as a whole or any benefit a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

11. ANNUAL GENERAL MEETING (AGM):

- (a) The AGM of the association shall be held once in every calendar year between April and July by written notice by the secretary to transact the following business:
 - To confirm the minutes of the previous AGM

- To receive and approve an audited statement of the accounts to the end of the preceding year.
 - To elect the members of the managing committee every two years
 - To appoint an auditor
 - To deal with any special matters which the managing committee desires to bring before the members and to receive and consider suggestions from the members for consideration by the managing committee.
 - Any other business with the permission of the Chair.
- (b) A special meeting may be called at any time by the managing committee and shall be called within 21 days of the receipt by the General Secretary of a requisition in writing by at least one fifth of the eligible members stating the purpose for which such meeting is desired. No business shall be transacted at such meeting other than that specified in the notice and no amendment to any resolution proposed at the meeting shall be allowed.
- (c) The Secretary must receive any resolution for the consideration at a meeting not less than 15 days before the date of the meeting. The managing committee may direct that any resolution that appears to them to be scandalous or contrary to the provision of the constitution shall not be placed on the agenda at any meeting of the managing committee.
- (d) Any member of the managing committee who fails to attend three consecutive meetings of the committee without adequate reasons accepted by the committee shall be deemed to have resigned his/her membership of the committee.
- (e) No member shall, unless the managing committee otherwise determines, be entitled to vote at any meeting without personally or by proxy unless all money presently payable by him/her to the association has been paid.

12. **MEETINGS:** The managing committee shall meet at regular intervals (at least four times a year).

13. **NOTICE OF MEETINGS:** Notices of a managing committee as well as extraordinary meeting shall when possible be sent at least seven days before the date of the meeting. Any notice required to be served, on any member of the association, shall be in writing and shall be served by the Secretary or the managing committee, to the member either personally or by sending it through the post in a pre-paid letter addressed to such member at his/her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within ten days of posting.

14. **QUORUM:**

- (a) **MANAGING COMMITTEE:** Seven members shall form the quorum; at least three of these will be office bearers. If the quorum is not fulfilled, the meeting will be adjourned. In the absence of the Chairman, attending members will appoint the acting Chairman for the said meeting.
- (b) **ANNUAL GENERAL MEETING:** The quorum would be one fifth of the total eligible full and life members.

15. **TRUSTEES:** The Trustees will form the governing body of the Association. They should work as a team and have collective responsibility for the charity. They should ensure that it remains solvent, is well run and meets the aims and objectives

for the benefit of the public for which it was set up. Trustees should ensure that the charity complies with the Charity Law, they should act with integrity and avoid any personal conflicts of interest or misuse of charity funds or assets. Trustees have a duty of prudence and care and keep up to date with what the charity is doing.

Election of trustees will take place at the AGM.

The number of trustees should be 7 and the Tenure should be a maximum of five years. Any paid up member of the Association for five years or more duration will be eligible to stand for the post of a trustee after meeting the eligibility criteria laid down by the Charity Commission. The Chairman of the Association will be an automatic trustee and hence during the election process there should be six trustees elected by the AGM. The AGM has the right to remove a trustee. An ex-trustee who has retired can be eligible for re-election after one year of retirement. In cases where all the trustees resign then a special, extraordinary general meeting is to be convened to discuss the resignations and the appointment or new trustees.

16. ALTERATION TO RULES: The rules of the association may be altered only at a special general meeting, at least 15 days notice of any meeting to consider proposed alteration will be given to all full and life members. The special general meeting would be considered valid only if at least a third of the full and life members are present and voting at the meeting shall vote in favour of the proposed change. The meeting will also accept postal and email voting.

17. AFFILIATION: The managing committee may at times affiliate on such terms as it thinks fit from other charitable organisations or (without stating any reason) disaffiliate from or disaffiliate such organisations.

18. BYE RULES: The managing committee is authorised to make bye rules for the conduct of the association, which are not inconsistent with these rules.

19. NOTICE: The accidental omission to give notice of a meeting to or the non receipt of meeting by a member shall not invalidate any proceedings or resolutions at any meeting of the association.

20. DISSOLUTION: A motion to dissolve the association may only be made at a special AGM to effect a dissolution. At least half the members actually present and voting at the meeting shall vote in favour of the dissolution. If a motion to dissolve the association is carried out by the said majority, the association's surplus funds, property, assets shall be disposed of for similar charitable purposes in connection with the advancement of the Hindu culture. No member of the association shall receive any of such funds, property and assets by virtue of his/her membership.

21. SPECIAL NOTE: In all situations not specifically dealt with in the Hull and East Riding Hindu Cultural Association constitution, guidance of the Charity Commission will be followed.