



**HINDU SOCIETY OF SOUTH
AUSTRALIA INC.**

CONSTITUTION AND RULES

With the amendments approved by the AGM held on the 20th November 2016

Contents

1.	NAME	2
2	OBJECTS	2
3.	POWERS	2
4.	MEMBERSHIP	3
4.1	Ordinary Members	4
4.2	Ordinary Family Members	4
4.3	Life Members	4
4.4	Associate Members	4
4.5	Honorary Members	4
5.	SUBSCRIPTIONS	4
6.	REGISTER OF MEMBERSHIP	5
7.	CESSATION OF MEMBERSHIP	5
8.	VOTING RIGHTS	6
9.	QUORUM.....	6
10.	ANNUAL GENERAL MEETING	6
11.	SPECIAL MEETINGS.....	8
12.	NOTICE OF MEETINGS	8
13.	MINUTES OF PROCEEDINGS	8
14.	EXECUTIVE COMMITTEE	8
15.	DUTIES AND POWERS OF THE OFFICE BEARERS	9
15	LIABILITY OF OFFICE BEARERS.....	12
16	AMENDMENT OF CONSTITUTION	12
17	COPIES OF CONSTITUTION	12
18	DISSOLUTION	12
19	SEAL HOLDERS OF THE SOCIETY	13
20	MEMBERSHIP FEE SCHEDULE	13
	Amendments	14

HINDU SOCIETY OF SOUTH AUSTRALIA INC.

CONSTITUTION AND RULES

Adopted at the Inaugural Meeting held on 10th day of August 1985

With the amendments approved by the AGM held on the 20th November 2016

1. NAME

The name of the Society shall be the "HINDU SOCIETY OF SOUTH AUSTRALIA INC."

2. OBJECTS

The objects of the Society are:

1. To preserve and foster the Hindu way of life philosophy and practices.
2. To provide facilities for the promotion and understanding of Hinduism.
3. To establish an Educational Foundation for the teaching of Hindu Philosophy, Culture, Indian languages and other related subjects not taught in a normal school curriculum.
4. To establish such other foundations providing for charity, social welfare, etc. as the General Meeting in its sole discretion thinks fit.

3. POWERS

In pursuance of these objectives, the Society shall have power:

- a) Conferred by section 25 of the Associations Incorporation Act 1985, South Australia;
- b) To receive and accept donations of any description whatsoever;
- c) To borrow or raise money with or without security by lawful means whatsoever including overdraft, if approved by a majority of those present at a General Meeting;
- d) Either alone or jointly with any other person, company or association to purchase, acquire, hold, develop, improve, maintain, lease (including the power to take and grant leases) and dispose of any real or personal property including shares, debentures, notes or deposits or other interests whatsoever in any company and to erect, demolish, purchase, hire, maintain, or furnish any buildings,

- improvements, fittings or appliances and to mortgage or pledge the same as may be considered expedient;
- e) To organise conferences, seminars, workshops, etc.; arrange for distribution of literature and other educational materials, and liaise with Government and Semi-Government Departments;
 - f) To co-operate, or affiliate with other organisations with similar objectives;
 - g) To make any donation or contribution to any benevolent, educational, patriotic, charitable or other non-profit making organisation;
 - h) To do all such acts and things including employment of salaried staff or experts as may be calculated to attain or assist in the attainment of the above objects as the Society in its discretion may from time to time decide;
 - i) The income and property of the Society howsoever derived, shall be applied solely towards the promotion of the objects of the Society and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise howsoever by way of profit to the members of the Society or to relatives of such members, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Society or to any member of the Society in return for any services actually rendered to the Society by any of its members.

4. MEMBERSHIP

Membership of the Society is open to all persons interested in Hinduism its philosophy and practices. It shall be granted on written application accompanied by the appropriate subscription fee.

The Executive committee shall have power to refuse the membership to a person who it holds is not a person satisfying the character requirement to become member of the Society.

The Society shall consist of:

- (1) Ordinary members
- (2) Ordinary family members
- (3) Life family members
- (4) Associate members
- (5) Honorary members.

The qualification for membership of the Society shall be as follows:

4.1 Ordinary Members

Shall be the persons who are subscribers to the Society of annual fees for individual members fixed and determined as hereinafter provided.

4.2 Ordinary Family Members

Shall be the persons who have paid an ordinary family member's subscription as fixed by the Annual General Meeting of the Society. Ordinary family membership shall entitle the member, spouse and children under 18 years of age and dependent parents to participate in the activities of the Society.

4.3 Life Members

Life Family Members shall be persons who have paid the subscription for Life family membership

4.4 Associate Members

Associate membership shall consist of full time students and individual with no Australian permanent residence status. Associate members shall be entitled to enjoy all the privileges and facilities of the temple but shall have no voting rights

4.5 Honorary Members

Shall be persons who have rendered distinguished service to Hinduism or to the Society and such membership shall be determined by the Executive Committee,

Honorary members shall be entitled to enjoy all the privileges and facilities of the temple but shall have no voting rights

5. SUBSCRIPTIONS

- 5.1 The annual subscription entitling a person to become and to continue to be a financial member of the Society shall be fixed and determined by the Annual General Meeting of the Society and shall be payable in advance in respect of each financial year or on or before the 30th day of *June* in each year. Until so fixed and determined, the subscription for members will be:

The subscription for members of the Society is as given in fee Schedule.

AGM has the power to set the fee structure for all the membership categories

The executive committee shall not increase membership in aggregate of all categories by more than 5% of total membership in any year.

The Executive Committee shall consider applications for membership in the order in which they are received in a given year.

- 5.2 A member having paid all arrears of subscription due to the Society, shall be at liberty to withdraw from membership upon giving notice in writing of such withdrawal to the Society, and his/her name shall be removed from the Register as from the date of which his resignation is received.
- 5.3 No member shall be entitled to vote at any general meeting of the Society, or to hold or be represented in any Office thereof, unless all moneys presently payable to the Society have been paid, provided that the Executive Committee may at its discretion extend the time for payment of subscription fees, either generally or in any particular case,

6. REGISTER OF MEMBERSHIP

A register of names and addresses of all Ordinary Members, Family Members, Life Members, Student Members, Special Members and Honorary Members will be maintained and located at the Society's office. Any member who changes his or her address shall notify the Secretary and the change will be recorded in the register.

7. CESSATION OF MEMBERSHIP

Membership shall cease:

- 7.1 Upon death of a member.
- 7.2 Upon resignation of a member in accordance with Regulation 5.2.
- 7.3 The Executive Committee may terminate the membership of any member who refuses to pay the subscription fee on or before 30 June unless he or she sufficiently justifies his or her action in writing to the President.
- 7.4 Any member of the Society may have his/her membership terminated by a 2/3 majority vote in a general meeting upon grounds of behavior incompatible with the good name of the Society. Such member shall forfeit all rights and claims upon the Society or its properties. In considering this issue however, the Secretary shall serve a notice to show cause on the member why his/her membership should not be terminated at a general meeting of the Society. This shall be done at least 14 days prior to calling such a general meeting, Such a notice shall state the grounds upon which it is being proposed to the General Meeting to terminate his/her membership. The reply to such a notice shall be tabled at the General Meeting for consideration of the members.

8. VOTING RIGHTS

- 8.1 All financial members including Life Members shall be eligible to vote. In the case of Family Members only husband and wife shall, be entitled, to vote.
- 8.2 Voting at meetings of the Society and its Executive Committee shall be by a show of hands unless the Chairperson of the meeting determines otherwise or unless a majority of those present are entitled to vote determine otherwise in which case voting shall be by secret ballot.
- 8.3 At all meetings of the Society whether Annual, Special or of the Executive Committee or other subcommittees, the Chairperson shall have a deliberative as well as a casting vote.
- 8.4 If any financial member is unable for any adequate reason from attending a meeting of the Society, as accepted by the Chairperson of the meeting, that member may appoint a proxy who shall be a financial member entitled to vote to act at that meeting and such proxy shall upon presenting the members signed authority to act at the commencement of the meeting be entitled to vote on a special proxy form issued by the Secretary.
- 8.5 No financial member shall exercise more than one proxy vote at any one time.
- 8.6 The Executive Committee at its discretion may allow the votes be registered by postal ballot.

9. QUORUM

- 9.1 The Quorum for the Annual or Special General Meeting of the Society shall be a minimum of fifty (50) financial members (qualified to vote) present in person or by proxy provided always that no financial member shall exercise for the purpose of this rule more than one proxy vote at any one time
- 9.2 If at the Annual or Special General Meeting of the Society a quorum is not present within 15 minutes of the scheduled commencement time such meeting shall be held a quarter of an hour later in the same venue where the quorum shall constitute no less than 20 members.
- 9.3 The quorum for the Executive Committee of the Society shall be at least half the members of the Executive Committee and one of whom shall be the President, Vice President or the Treasurer,
- 9.4 The quorum for the sub-committees of the Executive Committee shall be half the members of the subcommittee.

10. ANNUAL GENERAL MEETING

- 10.1 The Annual General Meeting of the Society shall be held during before the end of November of each year, where the office bearers for the ensuing year shall be elected. Following the President's Report and the acceptance of the

Financial Statements showing receipts and expenditure and a balance sheet, the President shall declare half of existing executive members who have also served their two-year term are vacating the respective position. He will request the meeting to appoint a Chairperson pending the-election of vacated office bearers for the ensuing year.

10.2 The term of office of the elected executive committee members shall be two years.

10.3 The Annual General Meeting of the Society shall take place for the following purposes:

- (i) To receive apologies.
- (ii) To confirm the minutes of the previous meeting.
- (iii) To receive the President's report.
- (iv) To receive the Honorary Treasurer's Statements, duly audited.
- (v) To elect members for the Executive Committee of the ensuing year,
- (vi) To fix the annual membership fee for the current financial year, which shall be from 1st July to 30th June.
- (vii) To appoint a returning officer, an auditor, public officer or trustee if necessary. The public officer shall be a member of the Executive Committee.
- (viii) To transact any business of which at least fourteen (14) days' notice has been given to the Secretary,
- (ix) To obtain the views of members of the Society regarding the functions and activities of the Society for the coming year.
- (x) To receive any correspondence.

10.4 The Annual General Meeting of the Society may appoint one person to carry out the functions of auditors of the Society. Such person may be a member of the Society but shall not be a member of the Executive committee. If such appointment is not made at the General Meeting of the Society, the Executive Committee shall make such appointment as soon as possible after the Annual General Meeting.

10.5 Nominations for the offices must be called for at least 28 days before the Annual General Meeting and such nominations must be lodged with the Returning Officer on a prescribed form signed by two financial members, a proposer and a seconder, qualified to vote and assented to in writing by the nominee 14 days before the Annual General Meeting. Notwithstanding the above, the Annual General Meeting shall have the power by a simple majority to accept any further nominations in respect of any office.

10.6 Twenty Eight days' notice of the Annual General Meeting shall be given by the Secretary to each member stating the business, A second notice informing the members as to the nominations received by the returning officer for the positions in the Executive Committee shall be circulated to members at least 7 days before the Annual General Meeting.

11. SPECIAL MEETINGS

- 11.1 The President may call a Special General or Committee Meetings whenever he shall think fit, and must call a Special General meeting within 7 days of receiving a requisition signed by 25 financial members, or a Special Committee Meeting on a requisition signed by 3 members of the Committee, each requisition to state the object for which the meeting is to be called, Twenty-one days (21) notice of such Special Meeting must be given to members.
- 11.2 Should a quorum as required by Regulations 9.2 be not present the Annual or Special General Meeting shall be adjourned for 7 days. If at the Adjourned Annual or Special General Meeting a quorum is not present, then a minimum of ten (10) members present shall constitute a quorum.

12. NOTICE OF MEETINGS

At least seven clear days notice of any other meeting not provided herein shall be given to all members stating in general terms the business to be transacted. The accidental omission to give notice of any meeting of the Society or the Executive Committee or the non-receipt of notice of a meeting by any member, shall not invalidate the proceedings of such meeting.

13. MINUTES OF PROCEEDINGS

The proceedings of the Annual General Meeting, Special General Meeting and Meetings of the Executive Committee, shall be recorded in a minute book which shall be available on application to the Committee for inspection by any Member. Such minutes shall be submitted for confirmation at the next meeting of members or of the Committee (as the Case may be), and when confirmed, they shall be prima facie evidence of such meeting.

14. EXECUTIVE COMMITTEE

14.1 There shall be an Executive Committee of the Society which shall consist of:

1. President
2. Vice President
3. Secretary
4. Assistant Secretary
5. Treasurer
6. Librarian
7. 5 (five) members
 - a) A person should be financial member of the Society for two full financial years before he/she becomes eligible for nomination for Executive Committee membership.
The financial year will be 1st July to 30th June following year

- b) A person shall become eligible for nomination for the position of President only after serving as an Executive Committee member for two years.
- c) A person is entitled to hold position of a President for a maximum of six years.

14.2 The Annual General Meeting shall elect the members of the Executive Committee from among the nominations for respective positions received in accordance with Regulation 10.5 of these regulations.

14.3 In the event of a vacancy in the Executive Committee:

- 1) If there are three or less, the remaining members of the Executive Committee shall have the right to co-opt from the voting members.
- 2) If there are more than three vacancies, an emergency general meeting shall be called to fill these vacancies. However, the Executive Committee shall be empowered to decide the time of calling such an emergency general meeting, which shall not be later than three weeks from the occurrence of the last vacancy.
- 3) If a member of the Executive Committee fails to attend three consecutive Executive Committee meetings without valid reason, the member is deemed to have resigned and the Executive Committee may appoint a member in accordance with Sub Regulation 14.3 1) of this regulation.

15. DUTIES AND POWERS OF THE OFFICE BEARERS

The duties and powers of the office bearers of the Executive Committee are as follows:

15.1 The President

- 1) He/She shall preside as Chairperson at all meetings of the Society at which he/she is present.
- 2) He/She shall advise the Secretary and the Treasurer as occasions may require and generally superintend the conduct of the affairs of the Society.
- 3) He/She shall be ex-officio member of all sub-committees and delegations.
- 4) He/She may in emergency take any action that may be deemed necessary to conserve the interest of the Society provided that notification of any action shall be made to the Executive Committee members forthwith.

15.2 Vice-President

- 1) In the absence of the President of the Society, the Vice-President of the Society shall undertake the duties and exercise the power of the President or any other duties directed by the Executive Committee until such time the President resumes office or a new President is elected.

15.3 Secretary

- 1) He/She shall keep a register of members showing their full name and addresses with telephone numbers. The list should also include whether the member has paid the annual subscription.
- 2) He/She shall record the minutes of the proceedings of the Society.
- 3) He/She shall send out notices of all meetings of the 'Society in accordance to the rules and regulations laid down in this constitution.
- 4) He/She shall conduct correspondence for the Society wherever necessary or should notify the President to do the same when required.
- 5) He/She shall generally conduct the affairs of the Society and the sub-committees in accordance with the directives of the Executive Committee.
- 6) He/She shall carry out any other duties as directed by the Executive Committee.

15.4 Assistant Secretary

- 1) He/She shall assist the Secretary of the Society and in the absence of the Secretary shall undertake the duties and exercise the power of the Secretary.
- 2) He/She shall be responsible for dissemination of information including newsletters/circulars to the members.

15.5 Treasure

The Treasurer of the Society shall have the following powers and duties:

- 1) He/She shall collect the annual subscriptions of the members and all the moneys payable to the Society and pay accounts in accordance to the directions of the Executive Committee, All cheques shall be signed in accordance with the conditions laid down in the item of Seal Holders of the Society.

- 1) He/She shall keep proper accounts of all moneys received and expended on behalf of the Society.
- 2) He/She shall prepare a statement of receipts and expenditure for the year and submit the same duly audited by an Auditor appointed by the Annual General Meeting.
- 3) He/She shall submit a roll of members who have not paid their subscriptions to the Executive Committee for consideration by the members of the Executive Committee before each Annual General Meeting,
- 2) He/She shall give a brief financial report at all Executive Meetings.
- 4) He/She shall carry out any other duties as directed by the Executive Committee.

15.6 The functions of the Executive Committee are as follows:

- 5) The Executive Committee shall be responsible for organising programmes and activities to achieve and further the objects as detailed in Clause 2.
- 6) To manage the affairs of the Society in accordance with any direction given by the members at a General Meeting, "

15.7 The powers of the Executive Committee are as follows:

- 1) To do all things necessary or desirable in its opinion to carry out the objects of the Society as outlined in Clause 2.
- 2) To submit any recommendation to the general meeting.
- 3) To convene a meeting of the members to transact any business it deems necessary.
- 4) To exercise any powers of the Society contained in Regulation 3 on being duly authorised to exercise such power or powers by the general meeting of the Society provided always that in matters which affect the financial liabilities of the members the Executive Committee before seeking power to commit the Association to any financial liability, shall make a full disclosure to the members of all matters relevant on the question of such liability.
- 5) To insure properties of the Society.
- 6) To employ or dismiss any salaried staff.
- 7) To authorise the President and the Treasurer to execute any contract or document conditional upon approval of the general meeting.
- 8) To select delegates to any body club or association.

- 9) To co-opt any member or expert to assist in its function provided always that such co-opted person shall NOT have a right to vote on all matters before the Executive Committee.
- 10) To appoint a sub-committee or sub-committees as may be necessary to carry out the activities of the Society. The President shall nominate the Chairperson of such committees. The procedure and duties of the subcommittee shall be regulated by the Executive Committee.
- 11) To hire or lease any property to carry out any function or programme of the Society.
- 12) To carry out all directions of the general meetings.

15 LIABILITY OF OFFICE BEARERS

The liability of the office bearers and members debts, obligations or any other liability of the Society shall be limited to the amount of subscription due and owing by the member.

16 AMENDMENT OF CONSTITUTION

This Constitution may be amended at any General Meeting of the Society by a 2/3 majority of votes cast including any postal votes if called for, provided that details of the proposed amendment or amendments have been given in the notice of the meeting sent to all members.

17 COPIES OF CONSTITUTION

A copy of the Society's current Constitution shall be signed by the President and Secretary in office at the time of approval of the Constitution and dated and lodged with the Society's bankers for safe-keeping. It shall be the responsibility of the President and Secretary to ensure that any amendments to the Constitution are duly noted and lodged as aforesaid. A copy of the current Constitution shall be made available to any member on request to the Secretary.

18 DISSOLUTION

The Society may be dissolved at any time in the manner provided for in the Associations Incorporation Act 1985, South Australia. Upon such resolution being carried out any property of the Society remaining after payment of all debts and legal liabilities shall be dispersed amongst charitable organisations as directed by the General Meeting.

19 SEAL HOLDERS OF THE SOCIETY

The President, Treasurer and Secretary shall be the Seal Holders of the Society. Any two of the three Seal Holders may operate a Bank Account, and execute and affix the seal of the Society on any legal document for and on behalf of the Society when authorised by the Executive Committee.

20 MEMBERSHIP FEE SCHEDULE

Membership Fee Schedule until changed by AGM

Membership Category	Subscription fee
Ordinary members	\$20 per year
Ordinary family members	\$40 per year
Life family members	\$500 for life
Associate members	\$10 per year for students
	\$30 per year for family with no Australian permanent visa
Honorary members	Nil

Signatures

Siva Selva Kulalingam OM
 President
 HINDU SOCIETY OF SOUTH AUSTRALIA INC

Signature

Date:

Usha Rajagopalan
 Secretary
 HINDU SOCIETY OF SOUTH AUSTRALIA INC

Signature

Date

Amendments

The following amendments have made to the constitution at the AGM on the 20th November 2016

1. Clause 4 of the constitution (MEMBERSHIP Clause) is amended as follows:
 - i. Adding the following sentence at the end of 1st paragraph:
“The Executive committee shall have power to refuse the membership to a person who it holds is not a person satisfying the character requirement to become member of the Society.”
 - ii. Deleting all categories of membership and in lieu thereof inserting following categories of membership:
**“(1) Ordinary members
(2) Ordinary family members
(3) Life family members
(4) Associate members
(5) Honorary members.”**
2. Clause 4.1 is amended by deleting the sentence “There shall be no limit to the number of Ordinary members”
3. Clause 4.2 is amended by inserting the word “**Ordinary**” before the word family wherever it appears.
4. Clause 4.3 is amended by deleting the whole clause and in lieu thereof inserting the following clause:
“4.3 Life Family Members shall be persons who have paid the subscription for Life family membership”
5. Clauses 4.4 and 4.5 are deleted and in lieu thereof following clause is substituted:
“4.4 Associate membership shall consist of full time students and individual with no Australian permanent residence status. Associate members shall be entitled to enjoy all the privileges and facilities of the temple but shall have no voting rights”
6. Clause 4.6 (now Clause 4.5) is amended by inserting the following sentence at the end of the clause:
“4.5 Honorary members shall be entitled to enjoy all the privileges and facilities of the temple but shall have no voting rights”
7. Clause 5 is amended by:
 - i. deleting the fee structure appearing therein and substituting a schedule of fee at the end of the constitution. Insert sentence: **“The subscription for members of the Society is as given in fee Schedule”.**
 - ii. Inserting the sentence: **“AGM has the power to set the fee structure for all the membership categories”**
 - iii. Inserting sentences; **“The executive committee shall not increase membership in aggregate of all categories by more than 5% of total membership in any year”.**
The Executive Committee shall consider applications for membership in the order in which they are received in a given year”
8. Clause 10.1 is amended by deleting the word “August” appearing in the second line and substituting in lieu thereof the words **“before the end of November”**

9. Clause 14.1 is amended by adding at the end the following sub clauses:

- a) **A person should be financial member of the Society for two full financial years before he/she becomes eligible for nomination for Executive Committee membership.**
The financial year will be 1st July to 30th June following year
- b) **A person shall become eligible for nomination for the position of President only after serving as an Executive Committee member for two years.**
- c) **A person is entitled to hold position of a President for a maximum of six years.**

Membership Fee Schedule until changed by AGM

Membership Category	Subscription fee
Ordinary members	\$20 per year
Ordinary family members	\$40 per year
Life family members	\$500 for life
Associate members	\$10 per year for students
	\$30 per year for family with no Australian permanent visa
Honorary members	Nil

Siva Selva Kulalingam OM
 President
 HINDU SOCIETY OF SOUTH AUSTRALIA INC

Signature

Date:

Usha Rajagopalan
 Secretary
 HINDU SOCIETY OF SOUTH AUSTRALIA INC

Signature

Date