



# CONSTITUTION

OF

## THE KARNATAKA ASSOCIATION OF CANBERRA INCORPORATED (KAC)

**Effective:**

**2013**



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## 1. NAME

This document is the Constitution for the Karnataka Association of Canberra Incorporated (KAC).

## 2. RECITALS

- i) The KAC, a not-for-profit association, was incorporated in Canberra under the *Associations Incorporation Act 1991* (ACT) on 10 November 2010.
- ii) The KAC shall function under the Clauses contained in this Constitution and the *Associations Incorporation Act 1991* (ACT).

## 3. OBJECTIVES

Recitals The objectives of the KAC are to:

1. promote an understanding and appreciation of the culture and language of Karnataka amongst its Members and the wider Canberra community;
2. participate and showcase Karnataka in Canberra's multicultural and other community events; and
3. provide moral and physical support to people coming from Karnataka or of Karnataka origin to settle down in Canberra.

## 4. INTERPRETATIONS

In these clauses, the following words and phrases mean:

**ACT**, the Australian Capital Territory

**ACT and its surroundings**, a geographic area that includes ACT and the region in New South Wales within 100 km from the border of ACT



**Annual General Meeting (AGM)**, a meeting of financial Members of the KAC

**Executive Committee (Committee)**, the management Committee of the KAC

**Financial Year**, the period from 1 July to the following 30 June

**General Body**, the membership of the KAC

**KAC**, the Karnataka Association of Canberra Inc.

**Member**, a financial member of the KAC, as detailed in Clause 5

**Public Officer**, the person appointed in pursuance of section 57 of the *Associations Incorporation Act 1991* of the ACT or any lawful replacement.

## 5. MEMBERSHIP

### 5.1 Annual and Life membership

5.1.1 The KAC will have two main categories of financial members:

#### 1. *Ordinary Members*

- a) Annual
  - i) Individual
  - ii) Family
  
- b) Life
  - i) Individual
  - ii) Family

#### 2. *Associate Members*

- a) Annual
  - i) Individual
  - ii) Family
  
- b) Life
  - i) Individual
  - ii) Family



- 5.1.2 Any person aged 18 and over, who is in agreement with the objectives of the KAC is eligible for membership of the KAC. The person becomes a Member, on approval by the Committee, by completing the relevant Application form specified in Schedules 1 – 3 along with membership payment specified as per sub clause 5.2.1.
- 5.1.3 Ordinary membership of the KAC is available to any person who normally resides in the ACT and its surroundings. An ordinary Member shall have voting rights in all meetings and referenda of the KAC.
- 5.1.4 Associate Membership entitles the person to participate in the social and cultural activities of the KAC, but without voting rights in meetings and referenda, and is open to:
- i) children of an ordinary Member and other dependents who reside with the ordinary Member; and
  - ii) persons who do not normally reside in the ACT and its surroundings but wishes to be associated with the KAC, receive its publications and participate in its activities during visits to Canberra.
- 5.1.5 An annual Member shall renew his/her membership every Financial Year.
- 5.1.6 A life Member is a lifelong Member of the KAC, subject to sub clauses 5.1.7 ii – iv.
- 5.1.7 A person shall cease to be a Member of the KAC if the person:
- (i) fails to pay the annual subscription before 31 October of the relevant Financial Year;
  - (ii) resigns by writing to the Committee;
  - (iii) is expelled from the KAC; or
  - (iv) is deceased.
- 5.1.8 If a Member moves away permanently from the ACT and its surroundings, the Committee shall use its discretion in deciding whether or not to refund part of the membership fee and the date when the person ceases to be listed as a financial member.



## **5.2 Membership fees**

5.2.1 The annual, life and associate membership subscriptions shall be determined by the General Body at the Annual General Meeting for the ensuing Financial Year.

5.2.1.1 A life Member shall make a one-time membership payment, as per sub clause 5.2.1, for the duration of his/her life.

5.2.2 The Committee may, at its discretion, allow new persons joining as annual Members after 1 March to pay reduced membership fees for the remaining part of the Financial Year.

5.2.3 Clause 5.2.2 does not apply to life membership. The most recent approved fee set by the general membership is applicable at all times.

5.2.4 If a Member resigns from the KAC membership or is expelled from the KAC membership or is deceased, membership fee, either in full or in part, shall not be refunded.

## **5.3 Public announcements**

5.3.1 No Member is authorised to undertake any publication or make any public announcement in the name of the KAC; or otherwise do anything directly or indirectly to represent the KAC.

5.3.2 The Committee alone shall, through the President, the Vice President, the Secretary or a Member nominated by the Committee for the purpose undertakes such activities.

5.3.3 The Committee shall ensure that no political, religious or other adverse comments, statements and/or opinions are published on the KAC managed web and social media sites.

5.3.4 The Committee shall ensure that the Member appointed to maintain the KAC mailing lists does not abuse the position and broadcast his/her personal views and opinions to Members in the mailing list or directly respond to Member emails to the Committee without the Committee's approval.



## **5.4 Expulsion of Members**

- 5.4.1 On the recommendation of the Executive Committee, the majority in a meeting of the General Body may approve the expulsion of the Member on the ground that the Member has acted against the objectives and interests of the KAC.
- 5.4.2 Before making such a recommendation to the General Body, the Committee shall give the affected person an opportunity to explain his/her position, and the explanation, if any, shall be forwarded to the General Body along with the recommendations of the Committee.
- 5.4.3 In the event any Member is expelled from the KAC membership no refund of membership fees shall be made as stipulated in sub clause 5.2.4.
- 5.4.4 The person may re-join the KAC membership after being expelled only after the end of the Financial Year and at the discretion of the Executive Committee.
- 5.4.5 A life Member, who has been expelled or has resigned, may re-join the KAC membership either as an annual, associate or life member only after the payment of the prescribed membership fees.

## **5.5 Communications**

- 5.5.1 Contact with the KAC Committee shall be directed to the KAC Committee email or to the KAC Post Office Box address.
- 5.5.2 The KAC Committee shall contact Members via the KAC Committee email or via post using the KAC letterhead.
- 5.5.3 No official correspondence of the KAC shall be conducted using personal email or physical addresses, except as per sub clause 5.5.4.
- 5.5.4 The physical address of the current Public Officer shall be provided to the Registrar General's Office or its replacement to meet statutory obligations.



## **6. THE EXECUTIVE COMMITTEE**

- 6.1 The Executive Committee of the KAC shall consist of the following elected Members:
- (i) President
  - (ii) Vice-President
  - (iii) Secretary
  - (iv) Treasurer; and
  - (v) a minimum of three Members.
- 6.2 The Members of the Committee for the Financial Year shall be elected at the Annual General Meeting held by mid-June, in the manner prescribed in Clause 13.
- 6.3 If a Member of the Committee fails to attend three consecutive meetings, either face to face or online, of the Committee or fails to respond to emails without intimation and approval by the President, the Committee at its discretion may terminate the Member's membership of the Committee. Before such termination the Member shall be given an opportunity to explain the position in response to a "show cause" notice served on the Member by the Committee. Occasions on which a Member fails to attend a meeting of the Committee without prior approval shall be minuted.
- 6.4 In the event of a vacancy to any elected position, the Committee shall first fill that position by electing from among its Committee, and then fill the resulting vacancy by selection from the general membership.
- 6.5 The Committee shall call for nominations from the membership and will select one of the nominees to fill the vacancy.
- 6.6 If three or more vacancies arise in the Executive Committee simultaneously, they will be filled by election in a meeting of the General Body convened specially for the purpose.
- 6.7 The Executive Committee shall have the authority to co-opt Members from the general membership, when necessary, to assist the Committee in its work towards fulfilling the objectives of the KAC and meet special





needs. The co-opted members will not have voting rights in the meetings of the Committee.

- 6.8 The Executive Committee, once elected for the Financial Year, shall continue to hold office until another Committee has been elected.
- 6.9 The maximum term for Members of the Committee in their respective positions shall be for no more than two continuous Financial Years.
- 6.9.1 Members may contest for any position other than for the position held continuously for the past two years;
- 6.9.2 after a break of one year Members may contest for the position held previously for continuous two years.
- 6.10 Any or all Members of the Executive Committee can be removed by a majority decision at a special meeting of the General Body convened specially for the purpose.

### ***Sub Committees***

- 6.11 The Executive Committee may from time to time appoint sub-committees, as it considers necessary to assist it in carrying out the objectives of the KAC, and shall prescribe the powers and functions of such sub-committees.
- 6.12 The chairperson of that sub-committee will have the authority to co-opt persons from both within and outside of the KAC membership to the sub-committee.
- 6.13 The sub-committee shall conduct its business within the powers and functions prescribed by the Committee and provide its final report to the Committee within the prescribed time.

### ***KAC website***

- 6.14 The Committee shall maintain an up-to-date website.
- 6.15 The Committee may appoint a Member/s or non-member/s to maintain and update the website.



- 6.16 A person or persons appointed as per sub clause 6.15 shall not have the authority to publish any information on the website without the approval of the Committee.

## **7. DUTIES OF THE EXECUTIVE COMMITTEE**

7.1 The Executive Committee shall be responsible for:

- i) furthering the objectives of the KAC;
- ii) celebrating Deepavali and Ugadi festivals and organising other programmes and activities for the benefit of KAC Members;
- iii) representing the KAC at relevant events organised by government and other bodies;
- iv) publishing newsletters at regular intervals;
- v) organising fund raising activities to fulfil the objectives of the KAC;
- vi) disseminating information about the KAC and its activities among other Karnataka / Kannada organisations both within and outside Australia; and
- vii) maintaining the decorum and dignity of the KAC.

7.2 The Executive Committee in consultation with the general membership, and subject to sub clause 8.3, may consider the provision of physical facilities to further the objectives of the KAC by acquiring property either by purchasing / constructing / leasing a hall or building.

7.3 In pursuance of sub clause 7.2, the Committee may receive monetary donations.

7.4 The Committee shall safeguard KAC assets, ensuring that physical and monetary assets and intellectual property are protected from fraud, theft and errors.

7.5 The President shall

- i) in consultation and agreement with the Committee be responsible for addressing duties as stipulated in sub clause 7.1;
- ii) when present, preside over all meetings of the General Body and of the Executive Committee;
- iii) convene all meetings of the Committee and of the General Body in consultation with the Secretary,



- and where possible, with other Members of the Committee;
- iv) decide the Agenda in consultation with the Secretary and if possible with other Members of the Committee;
  - v) ensure that procedures are in place for handling funds received and expended by the KAC;
  - vi) present the Annual Report of KAC's activities for the Financial Year to Members at the AGM;
  - vii) ensure that the Minutes of the previous AGM, the Financial report and as relevant the Auditor's report for grant/s, if any, received; and the list of physical assets are presented at the AGM;
  - viii) ensure that books, records and other documents relating to the KAC, including membership and donation lists are open for inspection by Members free of cost at a mutually convenient time and place in Canberra;
  - ix) ensure that:
    - a) access to the Post Box, bank, mailing list, website and other social media sites; and
    - b) movable assets, documents including papers relating to the Incorporation of the KAC, insurance papers and banking detailsare handed over to the new Committee within 15 days after the date of the AGM; and
  - x) take such action in an emergency as is deemed necessary in the interest of the KAC. Notice of such action shall be given to the Committee as soon as practicable.

#### 7.6 The Vice-President shall

- i) in the absence of the President, undertake the duties and exercise the powers of the President; and
- ii) assume any other duties and responsibilities as may be determined by the Committee.

#### 7.7 The Secretary shall:

- i) maintain separate registers for:
  - annual Members;
  - associate Members; and
  - life Members



which shall be updated every year, and which shall contain the particulars of each member as provided in his/her application for membership;

- ii) prepare and distribute to all Members a list of voters as at 30 April, who are eligible to contest and vote in the election of Members for the Executive Committee as per provisions stipulated in Clause 12;
- iii) maintain the minutes of all meetings of the General Body and of the Executive Committee;
- iv) send notices of all meetings of the General Body to Members and of the Committee to Committee Members, giving the agenda;
- v) conduct the correspondence of the KAC, and place all correspondence received or sent, before the Committee at the earliest opportunity;
- vi) provide Members with KAC Bank account details for online payments;
- vii) in consultation with the Treasurer, produce all bills before the Committee for payment approval;
- viii) circulate the draft Minutes of the previous AGM to Members;
- ix) in consultation with the Committee prepare the annual report on the activities undertaken during the year for presentation at the AGM; and
- x) keep custody of all books, records and other documents relating to the KAC and pass these over to the new Committee elected at the AGM.

#### 7.8 The Treasurer shall:

- i) collect membership subscriptions and assist the Secretary in:
  - a) maintaining and up-dating the membership registers; and
  - b) preparing the list of voters;
- ii) keep accurate and detailed accounts of all monetary transactions of the KAC;
- iii) maintain separate accounts for annual and life membership, grants and donations received during the Financial Year;
- iv) examine all bills and produce them before the Committee through the Secretary, and present and ratify accounts in every meeting of the Committee;



- v) prepare a statement of accounts as at 31 May and submit the necessary documents to the Committee for audit;
- vi) maintain an accurate inventory of all physical assets and its location.
- vii) submit the inventory of physical assets and the statement of accounts prepared as per v) above and acquittal of grants to Members at the AGM.

7.9 Other Members of the Committee shall perform such duties as are assigned to them from time to time.

7.10 The Committee shall appoint for the Financial Year:

- i) an Editor at the beginning of the year, who will edit and be responsible for publications of the KAC newsletters during the Financial Year;
  - a) the Editor may be nominated from within the Committee or from the general membership
  - b) the Editor must seek Committee's approval before publications are distributed to Members;
- ii) a Returning Officer, who would be appointed whenever the need arises to conduct elections for the Executive Committee according to the provisions in this Constitution.

The Returning Officer shall:

- c) be selected from either the general KAC membership or from outside the KAC membership but not from within the Committee
  - d) receive nominations for the Executive Committee;
  - e) conduct elections as necessary; and
  - f) not contest the elections for which he/she is appointed;
- iii) an Auditor
    - g) the Auditor shall not be a KAC Committee member
  - iv) a Public Officer
    - h) the Public Officer may be nominated from within the Committee or from the general membership.



7.11 The Public Officer shall:

- i) within 14 days of the election/nomination give notice in writing to the relevant ACT government authority of his/her appointment with the required details;
- ii) inform relevant external organisations, in writing, of the change in the KAC Committee and provide them with the names of the new Committee;
- iii) within fourteen days after any change to his/her physical address give notice in writing to the Committee and the relevant ACT government authority of the change;
- iv) be the custodian of the KAC seal;
- v) deal with the relevant ACT government authority with matters relating to the KAC as an incorporated association;
- vi) file annual returns to the appropriate Government bodies to fulfil statutory obligations of the KAC; and
- vii) in consultation with the Committee prepare and submit community grant application/s to local and federal governments.

7.12 The Public Officer, once elected / nominated, shall continue to hold office until another Public Officer has been elected / nominated.

## **8. FINANCIAL RESPONSIBILITIES**

8.1 The Committee shall maintain an accurate record of income and expenditure for the year.

8.2 No Member of the Committee has the authority to expend the money on behalf of the KAC without first obtaining the written authority from a majority of the Executive Committee.

8.3 No Member of the Committee or any Member has the authority to borrow money for any purpose on behalf of the KAC without the agreement of three fourth majority of the current Members.

8.4 Grants received from local and/or Federal government and other sources shall be used for the purposes for which the grant was obtained.



- 8.5 A proportion of the subscription collected through life membership shall be banked in a fixed deposit opened in the name of KAC;
- 8.5.1 Members shall, at the AGM or a special General Body meeting, decide on the proportion of life membership subscription to be banked in the fixed deposit.
- 8.6 Donations received pursuant to sub clause 7.3 shall be banked in the KAC's fixed deposit account.
- 8.7 Funds from the fixed deposit shall only be accessed with the agreement of three fourth majority of the current Members.
- 8.8 Any bank interest received from the fixed deposit shall be used for the annual expenditure of the KAC.
- 8.9 Funds in the fixed deposit, subject to sub clause 8.7, shall be used for major projects that the KAC may wish to undertake to pursue its objectives.
- 8.10 All profits and incomes of the KAC shall be applied only to the promotion of the objectives of the KAC and shall not be paid or distributed amongst past and/or present Members or between non-members.

## **9. PROTECTION OF PRIVATE INFORMATION**

- 9.1 The Committee shall take all reasonable measures to ensure that:
- i) personal information collected and held either in paper format or electronically in connection with membership is protected against loss, unauthorised access, use, modification, disclosure or other misuse in accordance with current privacy legislation; and
  - ii) only the Committee has access to this information whether this information is held in paper format or electronically.
- 9.2 Subject to sub clause 9.1, the Committee must not, without the prior written consent of the Member, disclose any private information of the Member to a third party.



9.3 Information collected as per sub clause 9.1 for annual membership, must be securely destroyed in the presence of one or more Members after the end of the Financial Year or archived.

9.3.1 The Committee's annual report shall include whether this information is archived or destroyed;

9.3.2 If destroyed, the names of witnesses and the date of destruction, shall be noted in the Committee's annual report;

9.3.3 If archived, this list/report shall be handed over to the incoming Committee as per sub clause for auditing and safekeeping.

9.4 Information collected as per sub clause 9.1 for life membership, must be securely archived and passed on to the next Committee for safekeeping.

## 10. MEETINGS

### *Executive Committee*

10.1 The Executive Committee shall meet as required to fulfil the objectives of the KAC.

10.2 The meetings will normally be convened by the President as per Clause 7.5. If a minimum of four Members of the Committee request the President in writing to consider a specific issue, the President shall convene the meeting within seven days after receiving the request.

10.3 For normal meetings of the Committee notice of a minimum of seven days will be given. In an emergency a meeting can be called on twenty four hours' notice.

### *General Body*

10.4 A special meeting of the General Body shall be called by the Executive Committee within twenty one days of the receipt in writing, from not less than one-third of the financial Ordinary Members, to consider the issue specified in the request.

10.5 The decisions of a meeting of the General Body shall be binding on the Executive Committee.





- 10.6 The Annual General Meeting (AGM) of the KAC shall be held in mid-June around two weeks before the end of the Financial Year.
- 10.7 The Secretary shall arrange the notice of the AGM to be communicated to Members by mid-May, stating the venue, the Agenda and the time of the meeting, and will include in this notice any communication from the Returning Officer if necessary.
- 10.8 The Executive Committee shall present the Annual Report on the activities of the KAC, the Financial Statement, the report of the Auditor (as required), the inventory of all physical assets and its location; the Minutes of the previous AGM and requirements of sub clause 9.3 at the AGM.
- 10.9 In addition to any other business that may be discussed at the AGM, Members present at the AGM will confirm the Minutes of the last AGM and of any General Body meeting held during the Financial Year; and consider the various reports presented by the Committee.
- 10.10 The AGM shall appoint, as and if required, an Auditor for the ensuing year, who will complete the auditing of the accounts before the next AGM.
- 10.11 The AGM shall appoint/elect, as and when required, a Member or Members to manage KAC's funds banked in the fixed deposit.
- 10.12 Member /s appointed /elected to manage KAC's funds shall follow rules and procedures established by the Committee and approved by Members at the AGM or at a General Body meeting.
- 10.13 In the event the Committee fails to call for the AGM as per sub clauses 10.6 and 10.7 without valid reasons, the general membership can after the end of June call for a special meeting of the General Body and remove the whole Committee and elect / nominate a new Committee.
- 10.14 At the meeting held as per sub clause 10.13, the outgoing KAC Committee shall present reports as per sub clause 10.8.



### ***Minutes of General Body meeting***

- 10.15 The Committee must ensure that minutes are taken and kept of each General Body meeting.
- 10.16 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- 10.17 The draft Minutes shall be distributed to Members within a month from the date of the General Body meeting seeking comments and input to the draft.
- 10.18 The minutes of the AGM must include the:
- i) names of the members attending the meeting;
  - ii) financial statements submitted to Members;
  - iii) signed certificate by two Committee Members certifying that the financial statements give a true and fair view of the financial position and performance of the KAC;
  - iv) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the *Associations Incorporation Act 1991 (ACT)*;
  - v) activities of the KAC for the Financial Year; and
  - vi) discussions and outcomes of discussions held at the AGM.
- 10.19 The Committee shall distribute the draft Minutes of the AGM to Members within a month from the date of the AGM seeking comments and input to the draft.

## **11. QUORUM**

- 11.1 The quorum for a meeting of the Executive Committee shall be four, of which at least two shall hold the positions referred in sub clause 6.1.
- 11.2 The quorum for a meeting of the General Body convened after due notice shall be one-third of the total number of financial Members.
- 11.3 In the event that a meeting of the General Body or of the Executive Committee cannot be held for lack of quorum, the President, after thirty minutes of the



schedule start of the meeting, shall re-convene the meeting, in which no quorum shall be necessary.

- 11.4 The notice period of such re-convened meetings shall be one week for the General Body meetings and three days for Executive Committee meetings.
- 11.5 No major decision, especially in relation to Clauses 16 and 21 and sub clause 8.3 shall be binding at a reconvened meeting as stipulated in sub clause 11.3 of the General Body.
- 11.6 Only business of a general nature and if the AGM is reconvened, elections for the KAC Committee shall be conducted at this reconvened meeting.

### *Use of technology*

- 11.7 A Member not physically present at a General Body meeting may be permitted to participate in the meeting by the use of technology that allows that Member and the Members present at the meeting to clearly and simultaneously communicate visibly with each other.
- 11.8 A Member participating in a General Body meeting as permitted under sub clause 11.7 shall be present at the meeting at all times and shall be counted towards the make-up of the quorum for the meeting.

## **12. VOTING**

- 12.1 All financial Ordinary Members are eligible to vote in the meetings of the General Body and in referenda.
- 12.2 The voting list compiled by the Secretary shall be distributed either in paper format or electronically only to Members.
- 12.3 The voting list shall contain only names of Members eligible to vote at elections conducted at the AGM.
- 12.4 On request from Members, membership lists compiled by the Secretary in relation to ordinary, associate and life membership shall be made available to Members to view at a time and place of mutual convenience.



- 12.5 A maximum of two adult members, whose names are identified on the Member's family application and listed on the Members' register by the Secretary, will be entitled to vote.
- 12.6 On any question and /or issues arising at a General Body meeting:
- i) each Member who is entitled to vote has one vote;
  - ii) Members may vote personally or via post or email or as stipulated in sub clause 11.7; and
  - iii) the question or issue shall be decided on a majority of votes.
- 12.7 If votes are divided equally on a question or issue, the President or the Chairperson of the meeting shall have a second or casting vote.
- 12.8 A Member as per sub clauses 11.7 and 11.8 who votes by show of hands, at a General Body meeting, is taken to have voted in person. Associate members shall not be entitled to vote.
- 12.9 To be eligible for nomination for positions in the Executive Committee, the nominee, proposer and seconder must have been Members of the KAC before the preceding 30 April.
- 12.10 Voting at elections shall be by secret ballot.
- 12.11 Only Members present, subject to sub clause 12.12, at the AGM on the day of the election shall be eligible to vote.
- 12.12 Postal and email voting shall be available to those Members who apply to the Returning Officer at least seven days in advance stating the reasons for their inability to attend the AGM.
- 12.13 Sub clause 12.10 shall not apply to Members who choose to vote electronically.

### **13. ELECTION OF THE EXECUTIVE COMMITTEE**

- 13.1 The Returning Officer shall request members satisfying the criteria stipulated in Clause 12.9 to send him/her nominations in the form given in Schedule 4, for the



positions of the Committee stated in Clause 6.1, before a closing date which must be at least three weeks before the day of the AGM.

- 13.2 At least two weeks before the day of the AGM, the Returning Officer shall announce to all Members eligible to vote, the official list of candidates determined by him/her on the basis of the valid nominations received by the closing date.
- 13.3 If there is more than one nomination for any of the positions referred in sub clauses 6.1 i - iv, election by secret ballot, subject to sub clause 12.12, will be held at the AGM. The ballot paper shall include the names of all candidates for positions for which more than one valid nomination had been received. The candidate who receives the highest number of votes shall be elected. In case of a tie (two or more candidates receiving the same number of highest votes for the same position), a re-election shall be held at a date, time and place to be determined by the Returning Officer and Members present.
- 13.4 For the positions referred in sub clause 6.1 v, if more than the required number of valid nominations had been received, the ballot paper shall include their names, and the required number of Members who receive the highest number of votes at the AGM shall be elected.
- 13.5 Where there is only one nomination per vacancy the person so nominated shall be declared elected unopposed at the AGM.
- 13.6 If the Returning Officer receives no nominations by the closing date, nominations shall be called from Members present at the AGM. In the event that all vacancies are not filled, the newly elected Committee shall co-opt members after the AGM. The co-opted Members to the Committee shall have the same rights and privileges as other Members of the Committee.
- 13.7 In the event none of the vacancies are filled, the incumbent Committee will continue until a new Committee is formed.

### ***Absentee voting***



- 13.8 If a Member is unable to attend the AGM and notifies the Returning Officer at least a week before the date of AGM, the Returning Officer shall provide the Member a ballot paper to vote in absentia.
- 13.9 For postal voting, the Returning Officer shall request such Members to fill in the ballot paper, put it inside an unmarked envelope, and put the unmarked envelope containing the ballot paper inside another envelope. The outer envelope shall bear the Member's signature at the top.
- 13.10 Members are responsible for ensuring that the signed envelope reaches the Returning Officer before the due date. All votes in absentia shall be added to those cast at the AGM by the Returning Officer before the counting starts under his supervision.
- 13.11 If a Member requests voting via email, the Returning Officer shall request the Member to complete the ballot paper and send it to him/her by the due date.

## **14. CELEBRATIONS**

- 14.1 The KAC shall endeavour to organise the celebration of:
- i) Deepavali; and
  - ii) Ugadi
- 14.2 The Executive Committee may organise other cultural and social functions for the benefit of the Members, for example: Kannada Rajothsava Day (1 November); annual cultural function; food stalls; movie nights; hosting visiting artists and dignitaries.
- 14.3 The dates for each event will be set by the Executive Committee.

## **15. SEAL OF THE KAC, BANK ACCOUNTS AND POSTAL ADDRESS**

- 15.1 The Seal for the KAC containing the words "Karnataka Association of Canberra" shall be used on all documents and instruments used in the conduct of the



business of the KAC and carrying the signatures of the President, or the Vice-President, or the Secretary, or the Treasurer.

- 15.2 The Seal shall be in the custody of the Public Officer and shall be used only by the authorisation of the Committee.
- 15.3 The bank accounts of the KAC shall be in the name of the KAC and shall be operated by the Treasurer, along with either the President or the Secretary. Where Cheques are issued, they shall be signed by two members of the Committee one of whom shall preferably be the Treasurer.
- 15.4 The KAC shall maintain a Post Office Box which shall be its official postal address. The number and location of this box shall be on all correspondence sent out by the KAC. The keys to the Post Box, where delivered, shall be kept by the Secretary and the Treasurer.
- 15.5 Access to the Post Box shall be limited to the Committee.

## **16. AMENDMENTS TO THE CONSTITUTION**

- 16.1 Amendments to the Constitution can be proposed by:
  - i) one-quarter of the Financial Members in a petition to the Executive Committee; or by
  - ii) the Executive Committee.
- 16.2 The Executive Committee shall:
  - i) hold a referendum amongst all financial ordinary Members
  - ii) call for a meeting giving at least two weeks' notice; and
  - iii) give ten days after the referendum to return the voting paper to the Secretary.
- 16.3 No amendments shall be made to the Constitution unless such amendments are accepted by a resolution passed by two thirds majority of eligible voters present at an Annual or special General Body meeting.



- 16.4 If the required two-thirds majority is not obtained at the Annual or special General Body meeting for any amendment to the Constitution, the Committee may conduct a referendum of Members.
- 16.5 An amendment approved by more than one half of the financial Ordinary Members voting in the referendum shall become effective.
- 16.6 Notwithstanding sub clauses 16.3 and 16.4 any amendments to the Constitution, which relates to the dissolution of the KAC must be passed by three-fourth majority of KAC Members.

## **17. AUDIT**

### *Accounts*

- 17.1. The auditor, who shall not be a Committee Member, appointed at the AGM or by the Committee, shall examine accounts, vouchers, receipt books and records of a financial nature and prepare a report on the income and expenditure for the Financial Year for submission by the KAC to the AGM, or to a special General Body meeting called for that purpose.

### *Assets*

- 17.2. There shall be an internal audit of immovable and movable assets (including paper and electronic documents) of the KAC at least once a year. The report of the most recent audit shall be presented to the AGM.

## **18. INDEMNITY**

- 18.1 Every member of the Executive Committee and every other financial Member of the KAC shall be indemnified against all claims made and brought against him/her either alone or jointly with the KAC.
- 18.2 Such indemnity shall not be applicable in case of liability against any or all Members for defrauding the KAC.
- 18.3 The Secretary shall affect a policy of insurance in respect of the aforementioned indemnity.





## **19. DISPUTE RESOLUTION**

- 19.1 If a dispute arises between the Committee and Members of the KAC or between Committee Members in relation to the conduct of the KAC, the aggrieved Member may by written statement to the other Member specify the details of the dispute.
- 19.2 If a written dispute statement is issued, the aggrieved Members must promptly meet and negotiate in good faith to resolve the dispute within 15 days of either receiving the written statement or when the dispute comes to the attention of the Member concerned.
- 19.3 If the dispute remains unresolved after 15 days after receipt of the written dispute notice, the President or a person or persons nominated by the Executive Committee should assist in mediating and resolving the dispute.
- 19.4 A Member may be represented by legal counsel in any mediation.
- 19.5 The mediation will be held in Canberra and be subject to the laws in force in the Australian Capital Territory.
- 19.6 Nothing in this Clause 19 prevents a Member from seeking urgent relief before an appropriate Court.
- 19.7 All costs associated with dispute settlement shall be borne by the aggrieved Member/s.

## **20. DISSOLUTION OF THE COMMITTEE**

- 20.1 If the Executive Committee of the KAC is dissolved or has otherwise ceased to function, the Public Officer shall call a special General Body meeting of the Members of the KAC and that meeting will decide on the appointment of an informal committee for a period not exceeding three months.
- 20.2 This informal committee will carry out the day to day affairs of the KAC and will make arrangements for the election of a new Executive Committee during this period.



## 21. DISSOLUTION OF KAC

- 21.1 Notwithstanding anything stated elsewhere in the Constitution, the KAC may be dissolved only by a special resolution passed by at least three fourth majority of all Financial Members of the KAC and in accordance with the process described below.
- 21.2 A proposal to dissolve the KAC may be put forward:
- i) by the Executive Committee who may call a special general meeting of all members to consider the matter; or
  - ii) by a resolution put forward by members at the AGM.
- 21.3 The purpose of the resolution shall be to allow further consideration by all members at a special general meeting to be called no earlier than three weeks and not later than three months after the aforesaid resolution has been passed. The resolution must be passed and signed by at least 60 per cent of all current financial members for dissolution of the KAC.
- 21.4 Voting on the resolution shall take place at the special General Body meeting at which time the resolution must be passed without amendments by a three-fourth majority of all members.
- 21.5 If more than 10 per cent of members who originally signed the proposal for dissolution of the KAC have ceased to be members of the KAC in the interim, the resolution shall be considered invalid and voting shall not proceed at the special General Body meeting.
- 21.6 A new proposal to dissolve the KAC shall not be put forward by the Committee or the members for at least 30 days after the special General Body meeting.
- 21.7 In the event of dissolution of the KAC:
- i) the assets of the KAC shall be sold; and
  - ii) all monies collected both by this sale; membership subscriptions and other funds, after all debts, if any, are paid, shall be donated to a charitable organisation.



## SCHEDULE 1

### Application for ordinary Annual Membership of KAC

The Secretary  
Karnataka Association of Canberra  
P.O. Box No .....

Date:

ACT 26...

I hereby apply for ordinary individual/family membership of the KAC, and enclose herewith \$\_\_\_\_\_ as membership subscription for myself/and my family for the year. My family and I undertake to abide by the KAC Constitution.

Name of the Applicant:

Signature

Telephone: (H)

Mobile:

Email:

Particulars of the family (to be filled by an applicant for family membership)

Name of spouse:

Names of dependent children (if applicable) below the age of 18:

1.

2.

3.

Names of other dependents if applicable

Postal address:



## SCHEDULE 2

### Application for Annual Associate Membership of the KAC

The Secretary  
Karnataka Association of Canberra  
P.O. Box .....  
ACT .....

Date:.....

I hereby apply for Associate individual/family membership of the Karnataka Association of Canberra, and enclose herewith \$        as membership subscription for myself/and my family for the Financial Year. My family and I undertake to abide by the Constitution of the KAC.

Particulars of the family members (to be filled by an applicant for family membership):

Name of the Applicant:

Signature

Telephone: (H)

Mobile:

Email:

Particulars of the family (to be filled by an applicant for family membership)

Name of spouse:

Names of dependent children (if applicable) below the age of 18:

- 1.
- 2.
- 3.

Names of other dependents if applicable

Postal address:



## SCHEDULE 3

### Application for Life Membership of the KAC

The Secretary  
Karnataka Association of Canberra  
P.O. Box .....  
ACT ....

Date:.....

I hereby apply for Life individual/family/associate membership of the Karnataka Association of Canberra, and enclose herewith \$ as membership subscription for myself/ and my spouse for life. My spouse and I undertake to abide by the Constitution of the KAC.

Particulars of the family members (to be filled by an applicant for family membership):

Name of the Applicant:

Signature

Telephone: (H)

Mobile:

Email:

Particulars of the family (to be filled by an applicant for family membership);

Name of spouse:

Names of dependent children (if applicable) below the age of 18:

- 1.
- 2.
- 3.

Names of other dependents if applicable

Postal address:



## SCHEDULE 4

### Form for nomination of a candidate to a Position in the Executive Committee

I hereby nominate .....\* for

the position of .....\*\*

Name:

Signature

Date:

I hereby second the above nomination.

Name:

Signature

Date:

I hereby accept the nomination.

Signature of the nominee:

Date:

\* Name of the nominee in block letters.

\*\* Write here the name of the position, such as President, Vice-President, Secretary, Treasurer, or Member of the Executive Committee.



## SCHEDULE 5

### Ballot Paper

#### Karnataka Association of Canberra

- 1     **President**
  
- 2     **Vice-President**
  
- 3     **Secretary**
  
- 4     **Treasurer**
  
- 5     **Members of the Executive Committee\***
  - 1.
  - 2.
  - 3.

\*Do not vote for more than one in each of the first four categories, and more than three in the last category.