

## CONSTITUTION

### OF

### SONI SAMAJ (NEW ZEALAND) INCORPORATED

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#### 1.0 THE NAME

The name of the organisation shall be:

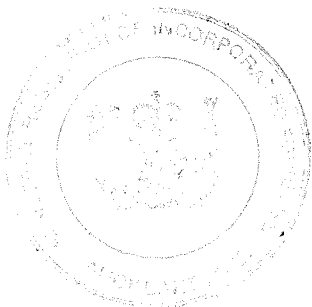
"SONI SAMAJ (NEW ZEALAND) INCORPORATED"

(hereinafter referred to as "the Samaj")

#### 2.0 THE OBJECTS

The objects of the Samaj shall be:

- 2.1 To encourage the preservation of cultural heritage of members and to promote the better understanding of other cultures in the multi-cultural society of New Zealand.
- 2.2 To promote social cultural and sporting interests and activities among members.
- 2.3 To promote friendship, fellowship and mutual support among members.
- 2.4 To recognise the special needs of members' children and elderly parents/grandparents and to provide support for their social, cultural and intellectual well-being.



- 2.5 To promote the objectives of the Samaj by establishment of branches affiliated to it or by affiliating with other organisations with similar objectives.
- 2.6 To undertake charitable or community projects and to make donations for such projects or purposes.
- 2.7 To seek incorporation of the Samaj under the Incorporated Societies Act.
- 2.8 Generally to do all acts and things that may be of mutual benefit to the members.

3.0 **HEAD OFFICE**

- 3.1 The Head Office of the Samaj shall be at such place in New Zealand as the Executive Committee may from time to time determine.

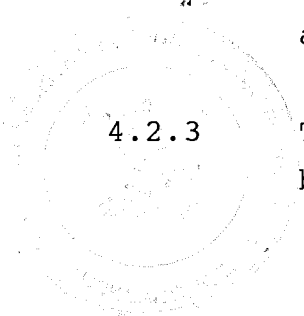
4.0 **MEMBERSHIP**

- 4.1 Membership shall be open to all persons over the age of 18 who subscribe to the objects of the Samaj and who identify themselves with the Soni Community.

4.2 **Application for Membership**

- 4.2.1 Application for membership of the Samaj shall be duly submitted to the Executive Committee for approval.
- 4.2.2 The Executive Committee shall prescribe a form for application for membership.

- 4.2.3 The admission of every candidate for membership shall be at the sole discretion of the Executive Committee.



- 4.2.4 Membership shall not be transferable.
- 4.2.5 The decision of the Executive Committee on all questions relating to membership shall be final and there shall be no right of appeal.
- 4.2.6 A members children under the age of 18 years shall enjoy all rights and privileges of a member except voting rights and entitlement to stand for election to the Executive Committee.

4.3 **Initial and annual membership fee:**

- 4.3.1 The initial membership fee and the annual membership fee shall be determined from time to time by the Executive Committee.
- 4.3.2 Annual Membership fee shall be payable yearly in advance first upon admission and thereafter annually.

4.4 **Termination of Membership**

- 4.4.1 Resignation: A member may at any time submit his resignation in writing to the Secretary.
- 4.4.2 Default in payment of Membership Fee: Any member whose yearly membership fee shall be in arrears for a period of three calender months shall, unless a satisfactory explanation of delay has been given to the Executive Committee, be debarred from voting or taking part in any meeting or other proceedings of the Samaj and such member shall cease to be a member and shall forfeit all his rights in the Samaj.

- 4.4.3 The Executive Committee shall, however, have power to reinstate any such member in default on such terms as they shall determine.



- 4.4.4 Expulsion: The Executive Committee shall have power to expel any member from the Samaj who in the opinion of the Executive Committee shall be guilty of any conduct rendering him unfit to be a member of the Samaj provided that before such expulsion such member shall be given an opportunity of rendering an explanation of his conduct.

5.0 **MEETING OF MEMBERS**

5.1 **Annual General Meeting**

- 5.1.1 Place: An Annual General Meeting of the Samaj shall be held at such place as the Executive Committee may determine.

- 5.1.2 Time: An Annual General Meeting of the Samaj shall be held once annually at such time in the year as the Executive Committee may determine but no later than 30th September of every year.

- 5.1.3 Notice Convening: A notice convening an AGM shall be accompanied by the following:

Agenda for the AGM

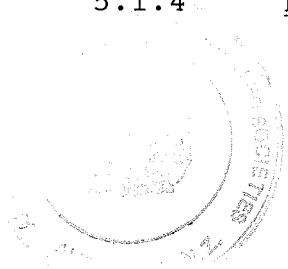
Minutes of previous AGM

President's Report

Financial Summary for the year

Motions (if any)

- 5.1.4 Notice of AGM: The secretary shall give 14 days notice of an Annual General Meeting.



5.2 **Special General Meeting**

5.2.1 **Called by Members:** The Executive Committee shall call a special general meeting of the members of the Samaj within thirty (30) days of receipt of a request to do so if such request is by notice in writing signed by at least twenty percent (20%) of the members. The notice shall state the nature and purpose of the meeting. If the Executive Committee does not call and hold the meeting within thirty (30) days of receipt of such request, then any member who has signed the request may call the meeting, within ninety (90) days of the date of the original request.

5.2.2 **Called by the Executive Committee:** The Executive Committee may call an special general meeting of the members of the Samaj as it may deem necessary. At least seven (7) days notice of such meeting and its purpose shall be given to the members.

5.3 **Quorum at AGM & SGM**

5.3.1 At any general meeting of members (annual or special) fifteen percent (15%) of members shall form a quorum. No business shall be transacted at any such meeting unless there is a quorum present at the commencement, and remains throughout, the meeting.

5.4 **Voting at AGM & SGM**

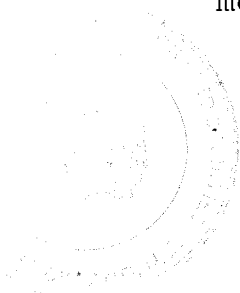
5.4.1 Every member present and entitled to vote shall have one vote upon every motion and in the case of equality of votes the Chairperson shall have a casting vote as well as a deliberative vote.



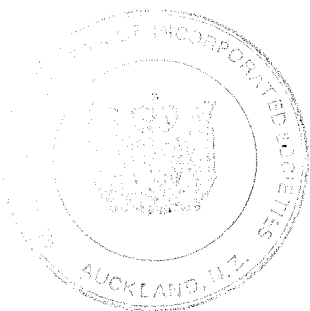
- 5.4.2 The mode of voting shall be by show of hands or if the Chairperson or any ten members shall require, then by secret ballot.

6.0 **EXECUTIVE COMMITTEE**

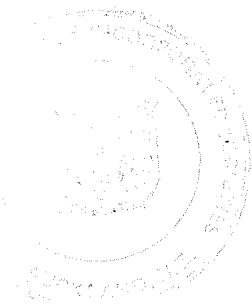
- 6.1 The affairs of the Samaj shall be managed by the Executive Committee.
- 6.2 The Executive Committee shall comprise: The President, two Vice Presidents, Immediate Past President, Secretary, Treasurer and 5 Committee Members.
- 6.3 Only persons whose membership fee is not in default shall be entitled to stand for election to the Executive Committee. A member wishing to stand for election shall submit to the secretary a duly completed nomination form prescribed by the Executive Committee prior to the commencement of an AGM. The secretary shall cause an announcement to be made prior to the commencement of the AGM of this provision and inviting nominations to be duly filed.
- 6.4 The Executive Committee shall be elected at the AGM and shall hold office until the following AGM.
- 6.5 A member of the Executive Committee who is absent from three (3) consecutive Executive Committee meetings without reasonable cause or prior approval of the President shall be deemed to have forfeited his membership of the Executive Committee.



- 6.6 Any member of the Executive Committee may be removed from membership of that Committee by a motion passed with two-third majority of members present and voting at a general meeting of the Samaj duly called and held for that purpose or at an AGM or Special General Meeting where notice of such motion has been duly given.
- 6.7 The members of the Executive Committee shall receive no remuneration for their services to the Samaj unless any member is acting in his professional capacity and the Executive Committee has approved a payment for his services.
- 6.8 Questions arising at any meeting of the Executive Committee shall be decided by a simple majority.
- 6.9 In case of an equality of votes, the chairperson shall have the casting vote.
- 6.10 Any member of the Samaj may be invited to attend meetings of the Executive Committee, but such member shall not be entitled to vote at that meeting.
- 6.11 The Executive Committee may from time to time appoint from among its members or from the members of the Samaj such sub-committee as it may deem necessary or expedient, and may delegate or refer to them such of the powers and duties of the Executive Committee as the Executive Committee may deem fit to determine. Such sub-committee shall periodically report their proceedings to the Executive Committee and shall conduct their business in accordance with the directions of the Executive Committee.



- 6.12 The Executive Committee shall meet at the Samaj premises or at any other place at such times not being less than once every two (2) months, as shall from time to time be determined by the President and at such meetings the Executive Committee shall determine its own proceedings. The method of calling such meetings shall be determined from time to time by the Executive Committee.
- 6.13 The membership of the Executive Committee shall be deemed vacant under any of the following conditions:-
- (a) After expiration of seven (7) days from receipt by the secretary of the resignation in writing of any member;
  - (b) Upon proof that any member has become of unsound mind;
  - (c) Upon an order of adjudication in bankruptcy being made in the personal estate of any member.
  - (d) Upon any member becoming, in the opinion of the Executive Committee; morally or physically unfit to hold such office;
- 6.14 The property of the Samaj, subject to the liabilities thereof, shall be vested in the Executive Committee upon trust for the members for the time being, subject however, to any resolutions of any duly convened Annual or Special General Meeting of the members of the Samaj.





7.0 **DUTIES OF SECRETARY:**

- 7.1 The Secretary shall conduct the general correspondence of the Samaj and shall have the custody of all the documents belonging to the Samaj. He shall keep the Minutes of the proceedings of all meetings of the Samaj and of the Executive Committee and shall before the first day of July in each year make a return of all the members of the Samaj.

8.0 **DUTIES OF TREASURER:**

- 8.1 The Treasurer shall receive and disburse all moneys under the direction of the Executive Committee and shall keep a proper and correct account of the income and expenditure. No payment shall be made by the Treasurer without a cheque for the same being countersigned by the President or the Secretary or such other such person as the Executive Committee shall decide. All moneys shall be banked and payments in excess of \$10.00 (Ten dollars) shall always be made by cheque.
- 8.2 The Treasurer shall prepare an annual statement of the accounts and balance sheet of the assets and liabilities of the Samaj as at the 30th day of June in each year and present the same at the Annual General Meeting of the Samaj.
- 8.3 The Treasurer shall invest in the name of the Samaj the funds of the Samaj or such part thereof as the Executive Committee may direct and shall from time to time realise, vary or dispose of such investments in accordance with such directions.

9.0        **APPOINTMENT & DUTIES OF AUDITOR:**

9.1        At an Annual General Meeting one of the members not being a member of the Executive Committee shall be appointed as Auditor for the ensuing year for the purposes of auditing the accounts of the Samaj.

9.2        The Auditor shall before an Annual General Meeting examine the annual returns prepared by the Treasurer and verify the same with the accounts and vouchers relating thereto and shall either sign the annual return as correct and duly vouched for, or shall specifically report to the Samaj at the next General Meeting any matter which he finds incorrect in relation to the accounts.

10.00      **INSPECTION OF RECORDS:**

10.1        Every member of the Samaj shall be allowed upon application in writing to the Secretary to inspect the Minute Book, Books of Account and Register of Members.

11.0        **BANK ACCOUNT**

11.1        The Bankers of the Samaj shall be such bankers as the Executive Committee may from time to time decide.

11.2        All Bank accounts shall be operated by the treasurer co-jointly with one of the following:

the President or the Secretary or such other person(s) as the Executive Committee may determine.



11.3 All payments shall be made by cheque and that all cheques shall be crossed restrictively. All payments shall be supported by adequate documentation for audit purposes.

12.0 **COMMON SEAL**

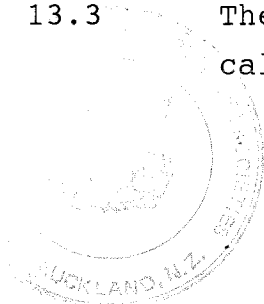
12.1 The Samaj shall have a Common Seal which shall be kept in the custody and control of the Secretary for the time being of the Samaj. The Seal shall be affixed to every document required to be sealed pursuant to a resolution of the Executive Committee in the presence of the Secretary and either the President or the Treasurer or by such other person nominated by the Executive Committee for that purpose.

13.0 **ALTERATION, ADDITION OR RECISSION OF THE PROVISIONS**

13.1 An alteration, addition or recission of the provisions in the constitution may be initiated by a motion signed by at least 20% of the members and given to the Secretary.

13.2 The Secretary in consultation with the President shall within 14 days of receipt of the motion, call an Executive Committee meeting to discuss the said motion and shall call a SGM within three (3) months of receiving the motion. 14 days notice calling the SGM shall be given to the members.

13.3 The constitution shall only be amended at an SGM called and held for that purpose.



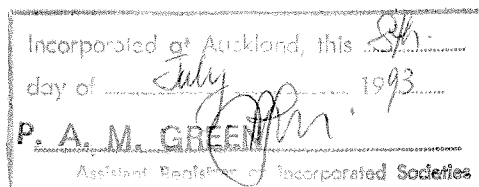
13.4 The quorum for the SGM called for the purpose of alteration, addition or recission of the provisions in the constitution shall be 50% of members of the Samaj at the time. No alteration, addition or recission shall be made except by a majority of two third of the members present at the SGM.

14.0 **WINDING UP OF THE SAMAJ**

14.1 The Samaj may be wound up voluntarily by a resolution passed at a general meeting of its members requiring the Samaj to be wound up if such resolution is confirmed at a subsequent general meeting called for that purpose and held not earlier than 30 days after the date on which the resolution so to be confirmed was passed.

14.2 The quorum for the general meeting called for the purpose of confirming the resolution shall be 50% of the members of the Samaj.

14.3 In the event of such winding up the property of the Samaj shall, subject to the payment of its debts and liabilities and the cost and expenses of the winding up, be given to some charitable organisation to be determined by a resolution passed by 75% of the members present at the general meeting called to confirm the resolution for the winding up of the Samaj.



Dated this 13th day of September 1992

This Constitution was approved at a meeting of the Samaj held on  
13th September 1992.

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President

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Vice President

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Secretary

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Treasurer