



Kannada Sangha Queensland

Modified Model Rules

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1. Kannada Sangha Queensland

The name of the Incorporated Kannada Sangha Queensland is

KANNADA SANGHA QUEENSLAND.

In this constitution it is called the **Kannada Sangha QLD** or **KSQ** in short.

It shall have its own emblem. It shall be a non-profit, charitable and non-political, Kannada Sangha Queensland.

The address of the Kannada Sangha Queensland shall be care of the Secretary of the Committee of Management unless otherwise specified. Unit 4,23 Wongara St, Clayfield QLD-4011

PART I: PRELIMINARY

2 INTERPRETATIONS

1. In this constitution, except in so far as the context or Subject matter otherwise indicates or requires:

- a. **Committee** means the Committee of Management of the Kannada Sangha Queensland.
- b. **Secretary** means the person holding office under this constitution as secretary of the Kannada Sangha Queensland or where no such person holds the office - the Public Officer of the Kannada Sangha Queensland.
- c. **Ordinary Member** means a member of the Kannada Sangha Queensland who is not an office-bearer of the Kannada Sangha Queensland. Ordinary Member is also referred to as Member.
- d. **Special General Meeting** means a general meeting of the Kannada Sangha Queensland other than annual general meeting.
- e. **Financial Year** means the year ending on 30th of June.
- f. **"Member"** means a member of the Kannada Sangha Queensland who paid all Moneys due to the Kannada Sangha Queensland including current financial Year membership.
- g. **Public Officer** means the person appointed by the Committee and holding office of the same under this constitution.
- h. **The Act** means the Queensland Government's Associations Incorporation Act, 1981.

i. **The Regulation** means the Associations Incorporation Regulation, 1999.

j. **Notice**, means either signed paper document or email communication.

2. In this constitution -

a. a reference to a function includes a reference to a power, Authority, and duty; and

b. a reference to the exercise of a function includes, where the function is a duty, a reference to the performance to the duty.

3. The provisions of the Interpretation Act, apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an Instrument made under the Act.

3 OBJECTS

The objects of the Kannada Sangha Queensland shall be:

a. To promote social and cultural welfare of Kannada people;

b. To establish institutions and/or conduct classes to instruct Kannada Culture, Kannada language, Kannada music, all Kannada Janapada (regional) tradition and music Kannada Vachanas, dance and all sports

c. To co-ordinate support and/or provide assistance for Karnataka and Indian culture

d. To provide direction and information to new Kannada settlers;

e. To promote, conserve and advance Kannada culture;

f. To improve the awareness of Kannada culture within the local Community;

g. To subscribe to and to become a member of and co-operate with any other organization or Kannada Sangha Queensland whether incorporated or not, whose objectives are similar to those of the Kannada Sangha Queensland;

h. To assist in fulfilling social aspirations of Kannada people which are not contrary to the objectives of the Kannada Sangha Queensland

i. To publish a newsletter to communicate with the members of the Kannada Sangha Queensland, either via electronic and/or paper based.

- j. To maintain links with Kannada people or organizations in order to keep the members informed of the developments in Kannada movements in India or in any other country;
- k. To establish a library for the benefit of the members;
- l. To enter into any suitable arrangement with government or authority to achieve the objectives of the Kannada Sangha Queensland;
- m. To liaise and co-operate with all the Commonwealth, state and other bodies and to supply information to them concerning Kannada culture and language.

PART II : MEMBERSHIP

4 MEMBERSHIP

A person is qualified to be a member of the Kannada Sangha Queensland if, but only if -

a. The person has not ceased to be a member of the Kannada Sangha Queensland at any time after incorporation of the Kannada Sangha Queensland under the Act due to

- (i) expulsion under Section 12; or
- (ii) non-payment of membership fee under Section 10; and

b. the person is,

- (i) a natural person who is over the age of 18; and
- (ii) has been nominated for membership of the Kannada Sangha Queensland as Provided under Section 5; and
- (iii) has been approved for membership of the Kannada Sangha Queensland by the Committee of the Kannada Sangha Queensland.

c. CLASSES OF MEMBERS

- (i) The membership of the association shall consist of ordinary members only.
- (ii) The number of ordinary members is unlimited.

5 NOMINATION FOR MEMBERSHIP

1. A nomination of a person for membership of the Kannada Sangha Queensland -

- a. Shall be made by a member of the Kannada Sangha Queensland in writing in the form set out in Appendix A to this constitution; and
 - b. Shall be lodged with the secretary of the Kannada Sangha Queensland.
2. As soon as practicable after receiving a nomination for Membership, the Secretary shall refer the nomination to The Committee, which shall determine whether to approve or to reject the nomination.
3. *Where the Committee determines to approve a nomination Membership, the Secretary shall, as soon as practicable after that determination, notify the nominee of that approval and Request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under this constitution by a member as entrance fee and annual subscription or life member subscription.*
4. The Secretary shall, on payment by the nominee of the amounts referred to in clause (3) within the period referred to in that clause enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Kannada Sangha Queensland.
5. No reason shall be given to the nominee for rejection of Membership application.

6 CESSATION OF MEMBERSHIP

A person ceases to be a member of the Kannada Sangha Queensland if the person

- a. Dies; or
- b. Resigns that membership; or
- c. Is expelled from the Kannada Sangha Queensland; or
- d. fails to pay membership fees within the period of 30 days since they become due.

7 MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

A right, privilege or obligation, which a person has by reason of being a member of the Kannada Sangha Queensland -

1. Is not capable of being transferred or transmitted to another person; and
2. Terminates upon cessation of the persons membership.

8 RESIGNATION OF MEMBERSHIP

1. A member of the Kannada Sangha Queensland is not entitled to resign that Membership except in accordance with this section.
2. A member of the Kannada Sangha Queensland who has paid all amounts payable by the member to the Kannada Sangha Queensland in respect of the member's Membership may resign from membership of the Kannada Sangha Queensland by first giving notice (being not less than one month) in Writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member Ceases to be a member.
3. Where a member of the Kannada Sangha Queensland ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.
4. Above rules apply to both ordinary members as well as office bearers of the Kannada Sangha Queensland.

9 REGISTER OF MEMBERS

1. The Public Officer of the Kannada Sangha Queensland shall establish and maintain a register of members of the Kannada Sangha Queensland specifying the name and address of each person who is a member of the Kannada Sangha Queensland together with the date on which the person became a member.
2. The register of members shall be kept at the principal place of administration of the Kannada Sangha Queensland and shall be open for inspection, free of charge, by any member of the Kannada Sangha Queensland at any reasonable hour.

10 FEES, SUBSCRIPTIONS, ETC

1. A member of the Kannada Sangha Queensland must, on admission to membership, pay to the association a fee amount is determined by the Kannada Sangha Queensland committee, from time to time.

2. Where the member becomes an annual member on or after 1st July in any calendar year, the annual membership fee should be paid upon becoming a member and before 1st July in each succeeding calendar year.

11 MEMBERS LIABILITIES

The liability of a member of the Kannada Sangha Queensland to contribute towards the payment of the debts and liabilities of the Association or the cost, charges and expenses of the winding up of the Kannada Sangha Queensland is limited to the amount, if any, unpaid by the member in respect of membership of the Kannada Sangha Queensland as required under Section 10.

12 DISCIPLINING OF MEMBERS

1. Where the Committee is of the opinion that a member of the Kannada Sangha Queensland -

- a. Has persistently refused or neglected to comply with a provision or provisions of this constitution; or
- b. has persistently and wilfully acted in a manner prejudicial to the interests of the Kannada Sangha Queensland, the Committee may, by resolution -
- c. Expel the member from the Kannada Sangha Queensland ; or
- d. Suspend the member from membership of the Kannada Sangha Queensland for a specified period.

2. A resolution of the Committee under clause (1) is of no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the

member of a notice under clause (3), confirms the resolution in accordance with this section.

3. Where the Committee passes a resolution under clause (1), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member -

- a. Setting out the resolution of the Committee and the grounds on which it is based;
- b. Stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
- c. stating the date, place and time of that meeting; and
- d. Informing the member that the member may do either or both of the following -
 - i attend and speak at the meeting;
 - ii submit to the Committee at or prior to the date of that meeting written representations relating to the Resolution.

4. At a meeting of the Committee held as referred to in clause (3), the Committee shall -

- a. give to the member an opportunity to make oral representations;
- b. Give due consideration to any written representations submitted to the Committee by the member at or prior to the meeting; and
- c. By resolution determine whether to confirm or to revoke the resolution.

5. Where the Committee confirms a resolution under clause (4), the Secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Section 13.

6. A resolution confirmed by the Committee under clause (4) does not take effect -

- a. Until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
- b. Where within that period the member exercises the right of appeal, unless and until the
Kannada Sangha Queensland confirms the resolution pursuant to clause (4) under Section 13.

7. Above rules apply to both ordinary members as well as office bearers of the Kannada Sangha Queensland.

13 RIGHT OF APPEAL OF DISCIPLINED MEMBER

1. A member may appeal to the Kannada Sangha Queensland in general meeting against a resolution of the Committee which is confirmed under clause (4) under Section 12, within 7 days after notice of the resolution is served on the member by lodging with the Secretary a notice to that effect.
2. Upon receipt of a notice from a member under clause (1), the Secretary shall notify the Committee, which shall convene a general meeting of the Kannada Sangha Queensland to be held within 21 days after the date on which the Secretary received the notice.
3. At a general meeting of the Kannada Sangha Queensland convened under clause (2),
 - a. No business other than the question of the appeal shall be transacted;
 - b. the Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - c. the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
4. If at the general meeting the Kannada Sangha Queensland passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.
5. Above rules apply to both ordinary members as well as office bearers of the Kannada Sangha Queensland.

PART III: THE COMMITTEE

14 POWERS, ETC., OF COMMITTEE

The Committee shall be called the Committee of Management of the Kannada Sangha Queensland and, subject to the Act, the Regulation and this constitution and to any resolution passed by the Kannada Sangha Queensland in general meeting -

- a. shall control and manage the affairs of the Kannada Sangha Queensland;
- b. may exercise all such functions as may be exercised by the Kannada Sangha Queensland other than those functions that are required by this constitution to be exercised by a general meeting of members of the Kannada Sangha Queensland ;

- c. has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Kannada Sangha Queensland ;
- d. has power to appoint a member of the Kannada Sangha Queensland as Public Officer and the member so appointed shall hold office, subject to this constitution, to liaise with the members of the Kannada Sangha Queensland and with any external agencies in that capacity;
- e. shall inform the affairs and activities of the Kannada Sangha Queensland to its members through its news letter; and
- f. shall organise at least two community functions in a financial year preferably as follows:

Kannada Rajyothsava (Cultural)

Kannada Cultural get-together

15 CONSTITUTIONS AND MEMBERSHIP

1. Subject in the case of the first members of the Committee shall consist of an office-bearer of the Kannada Sangha Queensland; and three or five ordinary members, each of whom shall be elected at the annual general meeting of the Kannada Sangha Queensland pursuant to Section 16.

2. The office-bearers of the Kannada Sangha Queensland shall be -

- A. The President;
- B. The Vice-president;
- C. The Treasurer.
- D. The Secretary.
- E. The Public Relation officer
- F. The Information Co-Ordinator
- G. Executive Committee members Maximum five

3. Each member of the Committee shall, subject to this constitution, hold office until the Conclusion of the annual general meeting following the date of members election, but

is eligible for re-election subject to clause (4).

4. An office-bearer of the Kannada Sangha Queensland who held the same office for 2 years is not eligible for re-election for any office at least 2 years however they can be in executive committee for next two years.

5. In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Kannada Sangha Queensland to fill the vacancy and the member so appointed shall hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.

6. To be eligible for the nomination of the position of President, one must have served in the Committee or in one of the Sub-committees for at least one term.

16 ELECTION OF MEMBERS

1. Nomination of candidates for election as office-bearers of the Kannada Sangha Queensland or as ordinary members of the Committee -

a. Shall be made in writing signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination); and

b. shall be delivered to the Returning Officer 7 days before the date indicated in the notice of the Annual general meeting for closing of nominations.

2. If insufficient nominations are received to fill the vacancies on the Committee, the candidate's nominated shall be deemed to be elected and further nominations should be received at the annual general meeting.

3. If insufficient further nominations are received any vacant positions remaining on the Committee shall be deemed to be casual vacancies.

4. If the number of nominations is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

5. If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

6. The ballot for the election of office-bearers and ordinary members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.

7. A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for election to another office at the same election.

17 SECRETARY

1. The Secretary of the Kannada Sangha Queensland shall, as soon as practical after being appointed as Secretary, lodge notice with the Kannada Sangha Queensland of his or her address.

2. It is the duty of the Secretary to keep minutes of meetings

- a. all appointments of office-bearers and members of the Committee;
- b. the names of members of the Committee present at a Committee meeting or a general meeting; and
- c. all proceedings at Committee meetings and Annual General meetings.

3. Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

18 TREASURER

It is the duty of the Treasurer of the Kannada Sangha Queensland to ensure that

- a. all money due to the Kannada Sangha Queensland is collected and received and that all payments authorised by the Kannada Sangha Queensland are made and

b. correct books and accounts are kept showing the financial affairs of the Kannada Sangha Queensland including full details of all receipts and expenditure connected with the activities of the Kannada Sangha Queensland.

19 CASUAL VACANCIES

For the purpose of this constitution, a casual vacancy in the office of a member of the Committee occurs if the member

- a. dies;
- b. Ceases to be a member of the Kannada Sangha Queensland;
- c. Becomes an insolvent under administration within the meaning of the Companies (Queensland) code;
- d. Resigns office by notice in writing given to the Secretary;
- e. Is removed from office under Section 20.
- f. Becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- g. is absent without the consent of the Committee from all meetings of the Committee held during a period of 4 months.

20 REMOVAL OF MEMBER

1. The Kannada Sangha Queensland in a general meeting may by resolution remove any member of the Committee from the office of the member before the expiration of the member's term of office and may by resolution appoint another member of the Kannada Sangha Queensland to hold office until the expiration of the term of office of the Member so removed.

2. Where a member of the Committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the members of the Kannada Sangha Queensland, the Secretary or the President may send a copy of the representations to each member of the Kannada Sangha Queensland or, if they are not so

sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

21 MEETINGS AND QUORUM

1. The Committee shall meet at least 4 times in each period of 12 months at such place and time as the Committee may determine.

2. The President or at his instance, the secretary or any member of the committee can call for committee meetings.

3. Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.

4. Notice of a meeting given under Rule (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to treat as urgent business.

5. Any 4 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

6. No business shall be transacted by the Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.

7. If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

8. At a meeting of the Committee -

- a. the President or, in the President's absence, the Vice- president shall preside; or
- b. if the President and Vice-president are absent or un-willing to act such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.

22 DELEGATION BY COMMITTEE TO SUB-COMMITTEE

1. The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Kannada Sangha Queensland as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than -

- a. this power of delegation; and
- b. a function which is a duty imposed on the Committee by the Act or by any other law.

2. A function, the exercise of which has been delegated to a sub-committee under this section may, while the delegation remains un-revoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

3. A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function of the subject thereof, or as to the time or circumstances, as may be specified in the instrument of delegation.

4 Notwithstanding any delegation under this section, the Committee may continue to exercise any function delegated.

5. Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the Committee.

6. The Committee may by instrument in writing, revoke wholly or

in part any delegation under this section.

6.a A sub-committee may meet and adjourn as it thinks proper. It may elect its own coordinator to conduct its meetings, prepare and send the minutes to the executive committee from time to time.

23 VOTING AND DECISIONS

1. Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or subcommittee present at the meeting.

2. Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

3. Subject to clause (5) under Section 21, the Committee may act notwithstanding any vacancy on the Committee.

4. Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.

PART IV: GENERAL MEETINGS

24 ANNUAL GENERAL MEETINGS - HOLDING OF

1. With the exception of the first annual general meeting of the Kannada Sangha Queensland, the Kannada Sangha Queensland shall, at least once in each

Calendar year and within the period of 6 months after the expiration of each financial year of the Kannada Sangha Queensland, convene an annual general meeting of its members.

2. The Kannada Sangha Queensland shall hold its first general meeting -
 - a. within the period of 18 months after its incorporation under the Act; and
 - b. within the period of two months after the expiration of the first financial year of the Kannada Sangha Queensland.
3. Clauses (1) and (2) have effect subject to any extension or permission granted by the Commission under section 26(3) of this constitution.

25 ANNUAL GENERAL MEETINGS - CALLING OF AND BUSINESS AT

1. The annual general meeting of the Kannada Sangha Queensland shall, subject to the Act and to Section 24 above, be convened on such date and at such place and time as the Committee thinks fit.
2. In addition to any other business, which may be transacted at an annual general meeting, the business of an annual general meeting shall be -
 - a. to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - b. to receive from the Committee reports upon the activities of the Kannada Sangha Queensland during the last preceding financial year;
 - c. to elect the office-bearers of the Kannada Sangha Queensland and ordinary members of the Committee; and
 - d. presenting the audited statement to the meeting, pursuant to section 59 of the Act.
3. An annual general meeting shall be specified as such in the notice convening it.

26 SPECIAL GENERAL MEETINGS - CALLING OF

1. The Committee may, whenever it thinks fit, convene a special general meeting of the Kannada Sangha Queensland.

2. The Committee shall, on the requisition in writing of not less than five per cent of the total number of members or 10 members, whichever is higher, convene a special general meeting of the Kannada Sangha Queensland.

3. A requisition of members for a special general meeting -

- a. shall state the purpose or purposes of the meeting;
- b. shall be signed by the members making the requisition;
- c. shall be lodged with the Secretary; and
- d. may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

4. If the Committee fails to convene a special general meeting to be held within one month after the date on which a Requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

5. A special general meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as is practicable in the same manner as the Committee convenes general meetings and any member who thereby incurs expenses is entitled to be reimbursed by the Kannada Sangha Queensland for any expenses so incurred.

27 NOTICE

1. Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Kannada Sangha Queensland, the Secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of

members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

2. Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Kannada Sangha Queensland, the Secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.

3. No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, which may be transacted pursuant to Section 25(2).

4. A member desiring to bring any business before a general meeting may give notice in writing of the business to the Secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

28 PROCEDURE

1. No item of business shall be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

2. Twenty members present in person (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

3. If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the

adjournment, by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

4. If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than three) shall constitute a quorum.

29 PRESIDING MEMBER

1. The President or, in the President's absence, the Vice- president, shall preside as chairperson at each general meeting of the Kannada Sangha Queensland.

2. If the President and the Vice-president are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

30 ADJOURNMENT

1. The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of the members present at the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

2. Where a general meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Kannada Sangha Queensland stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

3. Except as provided in clause (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

31 MAKING OF DECISIONS

1. A question arising at a general meeting of the Kannada Sangha Queensland shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Kannada Sangha Queensland, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

2. At a general meeting of the Kannada Sangha Queensland, a poll may be demanded by the chairperson or by not less than three members present in person or by proxy at the meeting.

3. Where a poll is demanded at a general meeting, the poll shall be taken -

- a. Immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the Question of an adjournment; or
- b. in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

32 SPECIAL RESOLUTION

A resolution of the Kannada Sangha Queensland is a special resolution if -

a. It is passed by a majority which comprises not less than three-quarters of such members of the Kannada Sangha Queensland as, being entitled under this constitution so to do, vote in person or by proxy at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with this constitution; or

b. where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution is passed in a manner specified by the Commission.

33 VOTING

1. Upon any question arising at a general meeting of the Association a member has one vote only.

2. All votes shall be given personally or by proxy but no member May hold more than five proxies.

3. In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

4. A member or proxy is not entitled to vote at any general meeting of the Kannada Sangha Queensland unless all money due and payable by the member or proxy to the Kannada Sangha Queensland has been paid, other than the amount of the annual subscription payable in respect of the then current year.

5. To be eligible to take part at an Annual general meeting or a Special general meeting, one must be a financial member of the Kannada Sangha Queensland for at least the preceding 60 days.

6. Procedures for elections at the General Meeting.

(i) The 'Returning Officer' shall conduct the elections for the officer bearers of the Kannada Sangha Queensland at the Annual general meeting.

(ii) The Returning officer is to be appointed by the executive committee and must be approved by a minimum of two-thirds majority. The role of the returning officer is to conduct fair elections for various positions of the office bearers complying with the constitution and where any doubts exist, company law shall be applicable.

(iii) Shall receive all the nomination forms for positions in the executive committee and the proxies.

(iv) The latest copy of the financial members of the Kannada Sangha Queensland (electoral roll) is to be sent to the returning officer by the secretary at least 48 hours before the close of the nominations. Such member list must be signed jointly by the secretary and the treasurer.

(v) Electoral roll must be closed on the date on which the executive committee announces the annual general meeting and the elections.

(vi) All the proxy forms are to be sent to the Returning officer for elections at the Annual general meeting not later than 48 hours before the Annual general meeting.

(vii) Proxy forms received through Facsimile are acceptable. However, the secretary for official records must receive copies of the existing forms.

34 APPOINTMENTS OF PROXIES

1. Each member shall be entitled to appoint other member as Proxy by notice given to the Secretary no later than 48 hours before the time of the meeting in respect of which the proxy is appointed.

2. The notice appointing the proxy shall be in the form set out in Appendix B to this constitution.

PART V : MISCELLANEOUS

35 INSURANCE

1. The Kannada Sangha Queensland shall effect and maintain insurance pursuant to the Act.

2. In addition to the insurance required under clause (1), the Kannada Sangha Queensland may effect and maintain other insurance.

36 FUNDS - SOURCE

1. The funds of the Kannada Sangha Queensland shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Kannada Sangha Queensland in general Meeting, such other sources as the Committee determines.

2. All money received by the Kannada Sangha Queensland shall be deposited as soon as practicable and without deduction to the credit of The Kannada Sangha Queensland's bank account.

3. The Kannada Sangha Queensland shall, as soon as practicable after receiving any money, issue an appropriate receipt.

37 FUNDS - MANAGEMENT

1. Subject to any resolution passed by the Kannada Sangha Queensland in general meeting, the funds of the Kannada Sangha Queensland shall be used in Pursuance of the objects of the Kannada Sangha Queensland in such manner as the Committee determines.

2. All amounts above \$100 paid by cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 of the President, secretary, treasurer or other member authorized from time to time by the management committee of the Kannada Sangha Queensland.

3. The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.

4. Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.

5. Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed `not negotiable`.

6. A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.

7. All expenditure must be approved or ratified at a management committee meeting.
8. The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared -
 - (i) the income and expenditure for the financial year just ended;
 - (ii) the association's assets and liabilities at the close of the year;
 - (iii) the mortgages, charges and securities affecting the property of the association at the close of the year.
9. If the association is incorporated within 3 months before the end of the association's financial year, subsection (8) does not apply for the financial year in which the association is incorporated.
10. The auditor must examine the statement prepared under subsection (8) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made, or before the end of the 2 year term.
11. The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

38 ALTERATION OF OBJECTS AND CONSTITUTION

1. The statement of objects and this constitution may be altered, rescinded or added to only by a special resolution of the Kannada Sangha Queensland.
2. The Public Officer of the Kannada Sangha Queensland shall, within one month after passing of a special resolution altering the statement of objects or the constitution of the Kannada Sangha Queensland, lodge with the Commission notice as required by the Act.
3. The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.
4. A by-law may be set aside by a vote of members at a general meeting of the association.
5. However an amendment, repeal or addition is valid only if it is registered by the chief executive.

39 COMMON SEAL

1. The common seal of the Kannada Sangha Queensland shall be kept in the custody of the Public Relation Officer or Secretary

2. The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the Committee or of 1 member of the Committee and of the Public Relation Officer or Secretary.

40 CUSTODY OF BOOKS, ETC.

Except as otherwise provided by this constitution, the Public Relation Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Kannada Sangha Queensland.

41 INSPECTION OF BOOKS, ETC.

The records, books and other documents of the Kannada Sangha Queensland shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

42 SERVICE OF NOTICES

1. For the purpose of this constitution, a notice may be served by or on behalf of the Kannada Sangha Queensland upon any member, either personally, or by sending it via post to the member at the Member's address shown in the register of members.

2. Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of this constitution to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

43 SURPLUS PROPERTY

1. At the first general meeting of the Kannada Sangha Queensland, the Association

shall pass a special resolution nominating an incorporated Kannada Sangha Queensland in which is to vest its surplus property pursuant to Part 10 (winding-up) of the Act in the event of the winding up or the cancellation of the incorporation of the Kannada Sangha Queensland.

2. The incorporated Kannada Sangha Queensland so nominated shall be one which fulfils the requirements specified in section 92(3) “surplus property” of the Act.

44 NON-PROFIT CLAUSE

The assets and income of the Kannada Sangha Queensland shall be applied solely in furtherance of its objectives mentioned in Section (3) and no portion shall be distributed directly or indirectly to the Members of the organization except as bona fide compensation for services rendered or expenses incurred on behalf of the organization.

45 DISSOLUTION CLAUSES

In the event of the Kannada Sangha Queensland being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities, shall be paid and applied by the Committee in accordance with their powers to any fund, institution or authority which is a nonprofit organization.

APPENDIX A

APPLICATION FOR MEMBERSHIP

NOMINATION AND PROXY FORMS

Appendix 1

(Rule 3 (1))

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

Kannada Sangha Queensland Incorporated (incorporated under the *Associations Incorporation Act 1981*).

I,.....
(full name of applicant)

of.....
(address)

.....hereby apply to become a
(occupation)

member of the Kannada Sangha Queensland.Inc. In the event of my admission as a member, I agree to be bound by the rules of the association for the time being in force.

.....
(Signature of applicant)
Date.....

I,..... a member for the association,
(full name)
nominate the applicant, who is personally known to me, for membership of the association.

.....
(Signature of proposer)
Date.....

I,..... a member for the association,
(full name)
second the nomination of the applicant, who is personally known to me, for membership of the association.

.....
(Signature of seconder)
Date.....

Appendix 2

Kannada Sangha Queensland.Inc (Rule 3 (1))

FORM OF APPOINTMENT OF PROXY

I,.....of

(full name)

(address)

being a member of

(name of incorporated association)

hereby appoint of

(full name of proxy)

(address)

being a member of that incorporated association, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or special general meeting, as the case may be) to be held on theday of.....

(month and year)

and at any adjournment of that meeting.

* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

* to be inserted if desired.

.....

Signature of member appointing proxy

Date.....

NOTE: A proxy vote may not be given to a person who is not a member of the association.