

# **SRI MANDIR**

## **The First Hindu Temple**

### **Accepted amendments to current Constitution of Sri Mandir**

**15 June 2014**

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#### **Clause 5 (addition) - Use of property on winding up**

Any resolution, to wind up or merge with any other organisation, must be approved at Annual General Meeting of the members.

#### **Clause 6.1 (replace) - Application for membership**

A person cannot become a member of the Company unless the person applies to become a member. Every applicant for membership must:

- a) sign an application for membership in such form as may from time to time be prescribed by the Executive Council; and
- b) the application form shall be given - delivered personally, by post, email or online at the address specified in the form.

#### **Clause 12.1 (replace) - Entitlement to vote**

Subject to this constitution and the terms of issue of any membership, each natural person who is present at a meeting of members may vote if the member's annual subscription is not in arrears on the date specified in Annual General Meeting (AGM) notice or Extraordinary General Meeting notice.

#### **Clause 13.1 (replace)**

##### **13.1 - Office bearers**

The office-bearers of the Company consist of a:

- (a) President;
- (b) Vice-President;
- (c) Treasurer, and
- (d) Secretary.

#### **Clause 13.4 (replace) - Election of Executive Council**

At Annual General Meeting, election shall be held for two years term for

- (a) Retiring President & Treasurer OR retiring Vice President & Secretary  
and
- (b) Retiring Executive members

Executive Council Member (office bearer or member) shall hold office until the conclusion of annual general meeting, as per **clause 13.4**.

The Executive Council Member retiring pursuant to this clause shall be eligible for re-election.

### **Clause 13.6 (replace) - Membership qualification**

- (a) A member of the Executive Council must be a member of the Company.
- (b) A member of the Executive council must have served the company for atleast 2 consecutive years until the date of nomination as a volunteer being part of one of the sub-committees as established by the executive council for the day to day running, maintenance and various functions of the temple.
- (c) Clause (a) and (b) applies to all/any ex-committee member who has not been in the acting executive council for 2 consecutive years until the date of nomination and/or has resigned from the executive council at any point of time.
- (d) Clause (a) and (b) applies to all/any ex-committee member who have been removed from the office by the acting executive council at any time

### **Clause 13.7 (replace) - Casual appointment**

The Executive Council may at any time appoint a member to become an office bearer or Executive member of the Executive Council (**notwithstanding Clause 13.11A**) to fill a vacant position. This person will hold the position of office bearer or Executive council member until the office bearer or Executive council member position is due for election in an Annual General Meeting. This member is a to be known as a "casual appointee".

### **Clause 13.8 (replace) - Retirement of casual appointee**

For the avoidance of doubt, the casual appointee retires when the office bearer or Executive Council position is due for election at an Annual General Meeting.

OR

A casual appointee holds this position till election is due for that position in the Annual General Meeting. Casual appointee is eligible for re-election.

### **Clause 13.11 (replace) - Valid nominations**

Nominations in the prescribed form as determined by the Executive Council must be made to the Secretary at the registered office. Nominations close at 5.00 pm local time on the day specified in the AGM Notice (which must be at least 7 days before the date for the AGM).

For a nomination to be valid:

- (a) the nomination must name the candidate and be signed by not less than 2 members;
- (b) the person nominated must consent to act if elected;
- (c) the nomination and consent must be received before the close of nominations.

A list of the valid nominated candidates, shall be posted on notice board at the registered office of the company for six days preceding the AGM.

### **13.11A – Nominee must be in attendance (addition)**

If a person nominates to be an Office Bearer or Executive council member, that person must be physically present on the day of the election.

### **13.11B – Prerequisite to be an Office bearer (addition)**

If a person nominates to be an Office Bearer of the Company, the person must have previously served in the acting Executive Council (either as an Office Bearer or an Executive Council member) for a minimum of 24 months (consecutive) until the date of nomination.

#### **Clause 13.12 (replace) - Resignation of member of the Executive Council**

Any member of the Executive Council may retire from office by giving 4 weeks' notice in writing to the Secretary. The Executive Council may at its sole discretion agree to the resignation taking effect immediately.

#### **Clause 13.13 (replace) - Vacation of office**

In addition to the circumstances in which the office of an Office Bearer or Executive Council member becomes vacant by virtue of the law or other provisions of this constitution, the office of an Office Bearer or Executive Council member, is vacated automatically if the member of the Executive Council:

- (a) becomes mentally incapable or the member of the Executive Council's estate is liable to be dealt with in any way under the law relating to mental health; or
- (b) is absent for more than 3 consecutive meetings or absent for more than two thirds (66%) of Meetings held in the previous six months of the Executive Council without the prior leave of the Executive Council.

#### **Clause 13.14 (addition) Removal from office**

The Company may by ordinary resolution of which special notice has been given remove any office-bearer or other member of the Executive Council before the expiration of that member's period of office and may by ordinary resolution appoint another person in that member's stead. The person so appointed will hold office only until the conclusion of the next annual general meeting of members and is then eligible for re-election.

Under the supervision of vice president of the acting executive council, member of the subcommittee (may or may not be executive council members ) can be given notice for removal from the subcommittee if

- Is guilty of any conduct
- Is guilty of causing any negative impact to the company
- Is guilty of performing not interest of the company

#### **Clause 13.16 - Discloser by Executive Council members (additional)**

Each person who is an Office bearer and Executive Council member shall declare to the Company immediately following an Annual General Meeting in a Disclosure Form issued by the Company if the Office bearer and Executive Council member holds a role in another company which is similar either directly or indirectly to the role of an Office bearer and Executive Council member or is a political organisation in New South Wales.

If an Office bearer or Executive Council member has a direct or indirect interest in any matter that the Company is considering, and that interest is likely to conflict with the performance of the Office bearer or Executive Council member's duties, the Office Bearer or Executive Council member must disclose that interest to the Company and cannot vote on the issue.

#### **Violations of Conflicts of Interest**

- a. If the Executive Council or Company has reasonable cause to believe that an Office bearer or Executive Council member has failed to disclose an actual or possible conflict of

interest, it shall inform the Office bearer or Executive Council member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

- b. If after hearing the response of the Office bearer or Executive Council member and making such further investigation as may be warranted in the circumstances, the Executive Council determines that the Office bearer or Executive Council member has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action in accordance with this Constitution.

## **Schedule 1 (REPLACE)**

### **Functions of Executive Council members**

#### **1. President**

The Leader of the Executive Council of Sri Mandir.

- (a) Co-ordination and integration of the activities of all the members of the Executive Council holding various portfolios.
- (b) In charge of programming of the various activities of Sri Mandir.
- (c) Represent Sri Mandir in parlays with other organisations and the press.
- (d) Establishment and supervision of three sub-committees, namely Editorial, Education and Cultural, in an advisory capacity only.

#### **2. Vice President**

- (a) The general day to day running of the Sri Mandir (working in line with the master of the temple).
- (b) Establishment and supervision of the sub-committees defined by the executive council for the day to day running of the temple, maintenance matters and various functions of the temple.

In charge of social and cultural activities.

- (c) Will be in charge of entertainment and cultural activities.
- (d) Will organise SM social functions such as variety entertainment, musical recitals, dance performances and social outings of fund raising venture.
- (e) Will be in charge of organising religious programmes in SM regularly along with different festivals throughout the year.
- (f) Will hold religious seminars and discussion to promote better appreciation of Hindu culture.

#### **3. Secretary**

In charge of administration of the Company & Public Relations

- (a) Will keep up to date records of names and addresses of all members of Sri Mandir. And maintain the confidentiality of the members contact details.
- (b) Will remind members of the membership renewal through newsletters and announcements at meetings.
- (c) Will organise membership drives periodically and strive to enlarge the strength of Sri Mandir.
- (d) General administration of the Company.

- (e) The general day to day running of the Sri Mandir (working in line with the master of the temple).
- (f) Will attend to the establishment of mutual relations between Sri Mandir and fraternal organisations.
- (g) Will represent Sri Mandir in multi-cultural functions.
- (h) Will be in touch with government departments in Australia, and create awareness of Sri Mandir along with its objectives.
- (i) Will seek to publicise Sri Mandir and its activities in the appropriate circles in Australia and abroad.

**4. Treasurer**

In charge of Finance.

- (a) Will have charge of all monies received on behalf of Sri Mandir.
- (b) Will disperse funds as decided by the Executive Council.
- (c) Keep accurate records of receipts and expenditure.
- (d) Sign cheques and documents with the president.
- (e) Bank all monies received.
- (f) Present a duly audited financial report and balance sheet to the Annual General Meeting and the respective authorities, namely, the Australian Securities and Investments Commission and the Australian Taxation Office.

**5. Council Members - Library and Literature**

Council members will carry out functions supporting office bearers and work assigned by the Executive Council.

## **Schedule 3 (Deletion)**

TO DELETE SCHEDULE 3