

## **NAME**

### ***1.***

The name of the organisation shall be Pakistan Australian Cultural Association of Queensland Inc.

## **OBJECTIVES**

### ***2.***

The objectives of the organisation shall be: -

- (a) To promote better understanding amongst all members of the Association and to provide a forum for them irrespective of their religion, language and sex to meet and exchange their views and to take measures conducive to their unity, identity and welfare.
- (b) To foster friendship between the members of the Association and to establish closer relationships amongst them through social and cultural activities.
- (c) To establish good communicational links with the High Commission of Pakistan in order to keep the Pakistani community at large informed of the events in Pakistan.
- (d) To provide help to new migrant Pakistanis establishing themselves in Australia and to welcome Pakistani students and visitors.
- (e) To educate and inform people generally and the younger generation about Pakistani culture and language.

## **CLASSES OF MEMBERS**

### ***3.***

The members of the organisation shall consist of ordinary members and associate members.

- (a) Ordinary members shall consist of those adults over the age of 18 years who are permanent residents of Australia or Australian citizens.
- (b) Associate members shall be those who are not permanent residents or Australian citizens. Associate members shall be entitled to all rights and

privileges as ordinary members but excluding the right to vote or to be elected as an executive member of the working committee.

## **MEMBERSHIP**

4.

- (a) The number of ordinary and associate members shall be unlimited.

Subject to this constitution any person who is not less than 18 years of age shall be eligible to become a member of the organisation upon payment or tender to the organisation of his or her annual subscription for the current financial year.

- (b) Only the following adults are entitled to become members of the association:
- (i) All Pakistanis born in Pakistan or naturalised as Pakistani nationals or the descendants and spouses of Pakistani nationals.
  - (ii) Muslims and all other faiths who subscribe to the objectives of the association.

## **ANNUAL SUBSCRIPTION**

5.

- (a) The annual subscription for each financial year shall be such sum as the Members at any annual or general meeting may from time to time determine.

**Exceptions:** student and pensioner membership fee shall be 50% of the annual Subscription

- (b) The annual subscription shall be payable in advance on the first day of July in every financial year after which no resignation, termination or forfeiture of membership shall exempt a former member from payment of the current year's subscription.
- (c) Payment or tender of the annual subscription shall be made to the Secretary personally or through the post addressed to the Secretary

- (d) A financial member at any material time is a member' who is not then indebted to the organisation in respect of any annual subscription or levy or other payment whatsoever
- e) Only those members who have paid their membership fees for the current financial year in full by the time of the annual general meeting will be entitled, subject to the lawful procedure of the meeting, to speak or vote on any motion at any annual or general meeting of the organisation. These rights will be limited to the family members (i.e. family member means husband and wife. This equates to two (2) votes. It does not include children who are eighteen year and above unless they have paid their own membership fees).
- f) A member who is in arrears with his annual subscription for 3 calendar months shall be deemed to have forfeited his membership but the Committee or on appeal from an adverse decision of the Committee, the management committee members, may reinstate him on payment of the amount due.

## **ADMISSION AND REJECTION OF MEMBERSHIP**

### **6.**

All applicants for membership shall be nominated by at least one financial member. The application for membership shall be in such form and shall contain such particulars as the Committee may from time to time reasonably prescribe.

The application form shall be deposited with the Secretary and/or any of the executive committee members with the applicant's Annual Subscription for the current financial year.

Admission to new Membership shall be by election of the Committee, or, upon appeal, by the members. At a committee meeting within two months following the payment or tender to the secretary of the annual subscription for the current financial year as provided by the constitution, the committee shall consider the application of each applicant and shall elect or reject him as a member. Any applicant who received a majority of the votes of the members of the Committee present at the meeting at which his or her application is being considered shall be declared elected by the Chairperson as an elected member.

Upon the election or rejection of an application for membership the Secretary shall forthwith give to him/her notice in writing of such election or rejection.

A person whose application for membership has been rejected may, within one month after receiving written notification of such rejection, appeal against the decision of the

Committee to a general meeting of the members of the Association held for the purpose of determining that appeal. Notice in writing of this intention to appeal shall be given to the Secretary.

The Committee shall convene such a general meeting within three months of the date of receipt by the Secretary of a notice of appeal, at a time suitable to the majority of members to attend thereat. At such meeting the appellant be given the opportunity to fully present his case either orally or in writing or both and the Committee of these members thereof who rejected the application shall subsequently likewise have the opportunity of presenting their case. The appeal shall be determined by the vote of the majority of the financial members present at that meeting.

Where a person, whose application is rejected, does not within the time prescribed by this constitution, appeal against the decision of the Committee, or so appeals but this appeal is unsuccessful, the Secretary shall refund to him the amount of the annual subscription paid to the Secretary

## **TERMINATION OF MEMBERSHIP**

7.

A member may resign from the organisation at any time by giving notice in writing to the Secretary. Such resignation shall only take effect at the time when such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

8.

If a member:

- (i) Fails to comply with any of the provisions of this constitution or;
- (ii) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the organisation the committee shall consider whether his membership shall be terminated.

The member concerned shall be given a full and fair opportunity of presenting his case and if the committee resolves to terminate his membership they shall instruct the Secretary to advise the member accordingly. The member, may within one month after receiving such written notification, appeal to a general meeting of members.

Notice in writing of his intention to appeal shall be given to the Secretary.

The Committee shall convene a general meeting so that such meeting is held within three months of the date of receipt by the Secretary of a notice of intention to appeal, at a time suitable to the majority of members to attend thereat.

At such meeting the appellant shall be given the opportunity of fully presenting his case either orally or in writing or partly by either of these means and the Committee or those members thereof who intend to terminate his membership shall subsequently likewise have the opportunity of presenting its or their case.

The appeal shall be determined by the vote of the majority of the financial members present at that meeting

Where a person, whose membership the committee intends to terminate, does not appeal against the decision within the time provided by this constitution, or so appeals but his appeal is unsuccessful, the membership of that person shall thereupon is deemed to be terminated.

## **REGISTER OF MEMBERS**

### **9.**

- (a) The committee shall cause a register to be kept in which shall be entered the names and residential address of all persons admitted to membership of the organisation and the dates of admission.
- (b) Particulars shall also be entered of resignations, terminations and reinstatement of membership and any further particulars as the committee or the members at any annual or general meeting may require from time to time.
- (c) The Register of Members shall be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for inspection, of course, subject to the confidentiality regarding addresses and phone numbers of the financial members.

## **MANAGEMENT**

### **10.**

The "Management Committee" shall consist of minimum seven to a maximum of eleven committee members'. They will be elected in every alternate annual general meeting. A member can only be elected to the Management Committee for two consecutive terms thereafter they will be eligible for re-election to the 'Management Committee' after a lapse of a term of two years. Thereafter, these committee members will elect a President, a vice President, a Secretary and a treasurer from amongst themselves (within 3 weeks) in order to conduct the Association business related to their positions, duties and responsibilities. Moreover, the committee members can replace any of these office

bearers (by a 2/3<sup>rd</sup> vote of majority) if situation warrants in order to run the affairs of the Association smoothly and efficiently.

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**11.**

At the annual general meeting of the organisation, all the committee members of the committee for the time being shall retire from office, but shall be eligible for re-election.

**12.**

Any executive members of the committee may resign at any time from membership of the committee by notice in writing delivered to the Secretary. Such resignation shall only take effect at the time when such notice is received by the Secretary unless some other later date is specified in the notice when it shall take effect on that later date or he may be removed from office at a general meeting of the organisation convened for that purpose. There is no right of appeal from removal of office of members of the Management Committee.

## **VACANCIES OF THE COMMITTEE**

**13.**

The Committee shall have power to appoint a financial member who may or may not then be a member of the committee to fill any casual vacancy on the committee until the next annual general meeting. Where a member of the committee is so appointed, then the committee may fill the vacancy caused by such appointment by a financial member who is not then a member of the committee.

Every member so appointed shall retire at the next annual general meeting but shall be eligible for election as a member of the committee at such meeting.

## **FUNCTIONS OF THE COMMITTEE**

**14.**

Except as otherwise provided by this constitution and subject to resolutions of the members of the organisation carried at any annual or general meeting the committee:

- (a) Shall have the general control and management of the administration of the affairs, property and funds of the organisation and;

- (b) Shall have authority to interpret the meaning of this constitution and any matter relating to the organisation on which this constitution is silent.
- (c) Shall ensure that functions of the association are to be conducted in a manner acceptable to the majority of the members.
- (d) Shall ensure that alcohol or any other intoxicating drugs are not permitted at any function.

### **MEETINGS OF THE COMMITTEE**

#### **15.**

- (a) The committee shall meet at least once in every two months to exercise its functions.
- (b) A special meeting of the committee shall be convened by the Secretary on the requisition in writing of not less than two members of the committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- (c) At every meeting of the committee, one half the numbers of members presently on the committee plus one shall constitute the quorum.
- (d) Subject as previously provided in this Rule, the committee may meet together and regulate its proceedings as it thinks fit:
- (e) Provided that questions arising at any meeting of the committee shall be decided by a majority of votes and in the case of equality of votes on any question or at any meeting of the committee the question shall be deemed to be decided in the negative.
- (f) Not less than fourteen days' notice shall be given to members of the committee of any special meeting of the committee unless the majority of the members of the management committee decide otherwise.
- (g) The President shall preside as a Chairperson at every meeting of the Management Committee, or if there is no President, or if at any meeting he/she is not present within half an hour after the time appointed for holding the meeting, the vice president should act as the chairperson. However if both, president and vice president are not present within half an hour of the commencement time of the meeting, then the members may choose one of their numbers to be a Chairperson of the meeting.

- (h) If within an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present the meeting shall lapse.
- (i) If any of the elected/appointed management committee members failed to attend three consecutive meetings, the management committee may replace him/her and appoint a new committee member from the other financial members.

## **ANNUAL GENERAL MEETINGS OR GENERAL MEETINGS**

### **16.**

- (a) Subject to this constitution, the annual general meeting shall be held between 1st of July and 30th September each year.
- (b) The business to be transacted at every annual general meeting shall be :
  - (1) the receiving of the committee's report and the balance sheet and statement of accounts for the preceding financial year;
  - (2) the receiving of the auditor's report upon the books and accounts for the preceding financial year;
  - (3) The election of members of the committee;
  - (4) The appointment of an Auditor
  - (5) The granting of 'Outstanding Service Award' when required. Each year prior to the AGM, the management committee will review the services rendered to this Association by its members and will put forward the name of the members who have faithfully, diligently, and unobtrusively served on the management committee for a period of twenty (20) years, or more, for the receipt of 'Outstanding Service Award', with the approval of the members present at the AGM, each nominated member so approved will be presented with an 'Outstanding Service Award' in recognition and appreciation of his/her sincere devotion, steadfast loyalty and invaluable service to our Association – that is, membership of his Association for the lifetime of that member without payment of the membership fees.



**17.**

At any general meeting the number of members required to constitute a quorum shall be double the number of the members presently on the Management Committee plus one.

**18.**

The secretary shall:

- (a) When directed to do so by the management committee or;
- (b) On the written requisition of a minimum of 40% of the members, Convene a general meeting of the association within 21 days of the date of receipt of the requisition.

**19.**

The secretary shall convene all annual and general meetings of the organisation by giving not less than fourteen days' notice of such meetings in writing.

- (a) The president shall be the chairperson and in his/her absence vice president will act as a chairperson. In the absence of both, the committee members may nominate any member as a chairperson from the executive committee and/or any other financial member who shall then be elected by resolution of a majority of the financial members present at the meeting.
- (b) The chairperson shall maintain and conduct the meeting in a proper and orderly manner.
- (c) Every question, matter or resolution shall be decided by a majority of votes of the financial members present.
- (d) Every financial member (as per clause 5(e)) present shall be entitled to one vote and in the case of an equality of votes the chairperson shall have a second or casting vote.
- (e) Voting shall be by show of hands or a division of members, unless not less than 50% of the financial members present demand a ballot, in which event there shall be a secret ballot, for which prior arrangements should have been made.

- (f) The chairperson shall appoint two or more members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was held.
- (g) The secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and the general meeting to be entered in a book. The secretary's minute's book to be open for inspection at all times by any financial member who previously applies to the secretary for that inspection. For the purpose of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the Chairperson of that meeting or the Chairperson of the next succeeding general meeting shall sign the minutes of every general meeting.

Provided that the minutes of any annual general meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding general meeting or annual general meeting.

**20.**

If within 60 minutes from the scheduled time of commencement of any annual general or committee meeting a quorum is not present, the meeting shall stand adjourned for four weeks to a time and place of which every member shall receive due notice.

If within 60 minutes from the scheduled time of commencement of such adjourned meeting, a quorum is not present, the meeting shall proceed with those members present.

If within 60 minutes from the scheduled time of commencement of any special meeting called for any purpose a quorum is not present, the meeting shall lapse.

**ELECTION OF THE MANAGEMENT COMMITTEE**

**21.**

Election of the Management Committee will be held each year at the Annual General meeting as described in clause 19 above.

**22.**

The nominations for Management Committee must be in the hands of the secretary two days (48 hours) before the commencement time of the annual general meeting and the nomination papers must show the following details clearly:

- (a) nominee
- (b) Position: Management committee member
- (c) Nominator
- (d) Secunder
- (e) Acceptance by the person being nominated

Should, at the commencement of such meeting, the number of nominations received are less than eleven; nominations may be taken from the floor of the meeting. The nominations of members with demonstrated recent experience (at least 6 months in the last 2 years) of volunteer work with PACA will be preferred.

**23.**

The onus is upon the nominator to make sure that the secretary receives the nomination papers two days (48 hours) before the commencement time of the annual general meeting.

## **BY-LAWS**

**24.**

The committee may from time to time make, amend or repeal by-laws, not inconsistent with this constitution, for the internal management of the organisation and any by-law may be set aside by a general meeting of members.

## **ALTERATION OF CONSTITUTION**

**25.**

Subject to the provisions of the Association Incorporation Act 1981 - 1988, these rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting: provided that no such amendment (2/3 majority in favour), rescission or addition shall be valid unless the same shall have been previously submitted to and approved by the Honourable the Minister for Justice.

## **FUNDS**

**26.**

- (a) The income and property of the Association whensoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers.
- (b) The funds of the organisation shall be banked in the name of the organisation in such bank as the committee may from time to time direct.
- (c) Proper books and accounts shall be kept and maintained showing correctly the financial affairs of the organisation and the particulars usually shown in books of a like nature.
- (d) All moneys shall be banked as soon as practicable after receipt of them.
- (e) All amounts of \$50.00 or over shall be paid by cheque signed by any two of the president, secretary or treasurer.
- (f) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupment which may be open.
- (g) The committee shall determine the amount of petty cash which shall be kept in the imprest system.
- (h) Accounts for payment shall be presented and passed at a committee meeting.
- (i) As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement of income and expenditure and a balance sheet for the financial year just ended..

All such statements shall be examined by the auditor who shall present his report upon such audit to the secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.

- (j) No dividend shall be paid to, and no income or property of the organisation be distributed amongst members.
- (k) The Management Committee shall provide for a Common Seal for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the Secretary or by a second member of the Management Committee.

- (1) The Management Committee shall provide the safe custody of books, documents, instruments of title and securities of the Incorporated Association.

## **FINANCIAL YEAR**

27.

The financial year of the organisation shall close on 30th June in each year.

## **DISSOLUTION**

28.

The organisation shall be dissolved

- (a) If the membership is less than three persons or;
- (b) if a resolution to that effect is carried by a vote of a three-fourths majority of the financial members present at a general meeting convened to consider the question.

The property and other assets of the organisation remaining after the payment of all expenses and other liabilities shall be handed over to some organisation or organisations (having similar objectives or in part similar objectives) gifts to which are allowable deductions under the provisions of Sections 78(1) (a) of the Income Tax Assessment Act as the majority of members present at such general meeting, by resolution, may decide.