

Hindu Temple & Cultural Centre of the ACT Inc.
Canberra A.C.T.,
Australia

Constitution of the
HINDU TEMPLE AND CULTURAL CENTRE of the A.C.T. (Incorporated)
(As amended on 30 July, 2017)

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1. NAME

This constitution relates to the foundation which shall be called "The Hindu Temple and Cultural Centre of the A.C.T. (Incorporated), hereinafter referred to as "the Association".

2. PROFITS AND INCOMES

The Association shall be a non-profit making body and all profits and incomes of the Association shall be applied only to the promotion of the objectives of the Association and shall not be paid or distributed amongst past and/or present members of the Association or between non-members.

3. ARTICLES

The Association shall function under the Articles contained in this Constitution and the Association Incorporation Act 1991 (A.C.T.).

4. INTERPRETATION

(1) In these Articles, unless the contrary intention appears:

"associate member" means a person who does not reside in the Territory, and

includes an institution; "individual member" means a person who resides in the territory and is 18 year of age and over; "family member" means a family unit (married adults with children of less than 18 year of age; "financial member" means a member not in arrears of his subscription in the current financial year; "committee" means the executive committee of the Association;

"Committee member" means a member of the executive committee;

"constitution" means the amended constitution (2017) of the Association;

"Eligible voter" means current financial member of the Association but does not include an associate member, each family membership shall have two votes and other categories one vote each;

"Meeting" means a meeting of the Association or of the committee;

"Public officer" means the person appointed in pursuance of section 57 of the Association of Incorporation Act 1991 of the Territory or any lawful replacement;

"Ex-officio committee member" means immediate past president and two vice

presidents;

"special resolution" means a resolution of which 21 days written notice has been given, and which is passed by a majority of not less than three fourth (3/4) of the members entitled to vote in person or by postal vote;

"Register" means the register of members kept in pursuance of Article 8 of this Constitution; "Registrar-General" means the Registrar General under the Association Incorporation Act 1991; "Territory" means the Australian Capital Territory;

"The unincorporated Association" means the Hindu Temple and Cultural Centre of the A.C.T. before its incorporation.

- (2) Words and phrases contained in these Articles shall be interpreted in accordance with the provision of the Interpretation Ordinance 1967 of the Territory as in force from time to time.

5. OBJECTIVES

The objectives and purposes of the Association are:

- (1) to promote an understanding of the teachings, philosophy and culture of Hinduism;
- (2) to provide facilities to engage in Hindu religious and cultural activities, including the practice of Yoga; (3) to foster inter-religious harmony, mutual understanding and respect for religious views of others and promote universal brotherhood;
- (4) to provide moral and spiritual support to the needy;
- (5) to build, maintain and operate a Hindu temple, a cultural centre, a library and other facilities to achieve the above objectives and purposes.
- (6) To establish and Run Educational Institutions
 - 6.1 On modern lines and on right basic principles provide facilities to study Hinduism including ancient Hindu Scriptures Vedas, Gita, and Ramayana, Upanishads and various Hindu Sanskaras and rituals. Teaching of languages - Sanskrit, Hindi and other Indian languages that are the basic foundation in understanding Hindu Dharma in the most effective manner.
 - 6.2 To build an Educational Centre and a library to achieve the above objectives and purposes.
 - 6.3 To establish "Hindu Educational Foundation Building Fund" as per Appendix A to achieve the said purpose and objectives. The HTCC AGM appoints 5 members to

manage the activity of the “Hindu Educational Foundation Building Fund” and report thereon.

- 6.4 To establish “Hindu Educational Shantineketan Building Fund” as per Appendix B to achieve the said purpose and objectives. The HTCC membership through AGM look into ways to raise funds for the construction of the building by way of creating a Trustee structure with its own by laws. The trustees to appoint a 5 member board to manage the activity of the “Hindu Educational Shantineketan Building Fund” and report thereon. The Trustees are to draw curriculum for various courses and a framework for certification.

6. POWERS OF THE ASSOCIATION

The Association shall have such powers as are necessary for the furtherance of its objectives and purposes including the following:

- (1) the Association may engage in the construction, maintenance, and alteration of buildings or works;
- (2) the Association may accept any gift for the Association, whether subject to a special trust or not;
- (3) the Association may take such steps from time to time as it may deem expedient for the purpose of procuring gifts or the funds for the Association, whether by way of donation, subscription, or otherwise;
- (4) the Association may undertake the printing and publishing of such newspapers, periodicals, books, leaflets, or other documents as may think desirable by the Association;
- (5) the Association may raise and borrow money subject to the following provisions:
 - (a) the Association may raise funds only for the benefit of the association in such manner as it considers fair and appropriate, provided that such fund raising does not involve borrowings;
 - (b) the committee may undertake negotiations to borrow money only for the benefit of the Association in such a manner and on such terms as the Association considers fair and appropriate, provided that such borrowing does not require the assets of the Association to be mortgaged or given as security to the lenders.
 - (c) if any money is to be borrowed which requires the assets of the Association to be mortgaged, charged or secured, the Association must obtain approval at a general body meeting of members by at least two thirds majority of all members, provided that the assets to be mortgaged or given as charges or securities do not exceed one third the total assets of the Association (based on value of assets in the Statement of Accounts for the previous year). If the assets to be mortgaged, charged or secured are more than one third of the total value of assets of the Association, the borrowing must be approved by a three fourth majority of all members, provided such borrowings do not exceed 90% of the total value of assets of the Association (based on the value of Assets in the Statement of Accounts for the previous year).

- (6) the Association may subject to the provisions of the Trustee Ordinance 1957, invest any monies of the Association not immediately required for any of its objectives or purposes in such manner as determined by it from time to time;
- (7) the Association may make gifts or give subscriptions or donations to any person, institution, authority or fund not exceeding \$1,000 approved at any one meeting of the committee and a total limit of \$6,000 per year (in terms of dollar value as on 1.7.2000) with out prior approval of the members at a general meeting provided that such subscriptions, gifts or donations promote and are in accordance with the objectives of the Association;
- (8) Assets
 - (a) The association may purchase or otherwise acquire any immovable or movable property for the benefit of the association
 - (b) The association may sell or dispose off any property belonging to the Association only for the benefit of the Association. Such sale and disposal must be strictly in accordance with conditions and procedure laid down below in article 8(c) and 8(d);
 - (c) The committee may not sell or dispose off any existing property of the Association, of a value not exceeding \$1,000 approved at any one meeting of the committee and a total limit of \$6,000 per year (in terms of dollar value as on 1.7.2000) without prior approval of the members at a general meeting
 - (d) The committee may call a special general meeting of all members if, in its considered opinion, there is an urgent need to sell or dispose off the assets other than real estate belonging to the Association, or property of the Association, the approval of two third of all members must be obtained, provided that the assets to be sold or disposed off do not exceed one third the total assets of the Association (based on value of assets in the Statement of Accounts for the previous year). If the assets to be sold or disposed off are more than one third of the total value of assets of the Association, the proposal to sell or dispose off must be approved by a three fourth majority of all members.
- (9) the Association may do and execute all such other acts, deeds or things as are or may be necessary for, or incidental or conducive to, the attainment of its objectives and purposes.
- (10) all the powers of the association shall be exercised through decision(s) taken at the committee or general meetings in accordance with the constitution.

AUTHORITY TO EXERCISE POWERS

- (1) The committee shall be the governing body of the Association and shall have all the powers of the Association as defined in clause 6.
- (2) The committee, through decisions taken at it's meetings, may exercise all the powers and functions of the Association except those that are required to be

exercised by the members in a general meeting.

- (3) Such powers of the Association, which can be exercised only through decisions taken at a general meeting, shall not be taken by the committee.
- (4) The day-to-day exercise of powers and responsibilities for the exercise of such powers shall rest in the committee.
- (5) The committee may exercise such powers directly or indirectly through its nominee(s) or through its nominated sub committee.

8. MEMBERSHIP

- (1) There shall be following types of membership:

FINANCIAL

- (a) Individual - Annual, Life
 - (b) Family - Annual, Life
 - (c) Associate - Annual, Life
- (2) Membership is open to all who are age 18 or over. A member must agree to subscribe to the objectives of the Association and agree to be bound by its constitution, and to be subject to other conditions stated in Article 8 and elsewhere in the constitution.
 - (3) Membership Application

Application for membership shall be made in writing, signed by the applicant and a proposer and a seconder, the latter two at the time of signing shall be financial members of the Association; and the application shall be in such form as the committee may prescribe from time to time.

 - (a) The appropriate fee as prescribed from time to time shall accompany application for membership.
 - (b) Once an applicant is accepted as a member, the membership may be renewed by payment of dues without any further application.
 - (c) The application shall be considered by the committee within two months and after such consideration the committee may accept or reject the application.
 - (d) In case the committee rejects the application, the committee shall give reasons for the rejection in writing to the proposer of the application.
 - (e) Where an application for membership has been accepted, the applicant shall be advised of the acceptance of the application.
 - (4) The committee shall maintain a register of all members. The committee may remove the names of those members from the register who are in arrears for

more than three months.

- (5) No member is authorised to undertake any publication or make any public announcement in the name of the Association or otherwise do anything directly or indirectly to represent that proposal, action or statement made or opinion expressed. The committee alone shall through the president or the vice-presidents or the secretary or the treasurer or other nominated committee member(s) make announcement (s) and publication in the name of the Association.

9. CESSATION OF MEMBERSHIP

- (1) A member shall cease to be a member if the member
 - (a) dies or disappears; (b) resigns;
 - (c) is expelled under Article 32; or
 - (d) fails to renew the membership within the prescribed time as set by the committee.
- (2) On receipt of notice that a member has ceased to be a member, the secretary shall make an entry to that effect.

10. RESIGNATION

A member may resign by giving notice to the secretary of his intention to do so. Such resignation shall not entitle such member to refund of any donation or subscription made to the Association by such member.

11. ADMINISTRATION

The committee shall be the governing body of the Association and shall have all powers as defined under Article 7 for management of the Association.

- (1) The committee may seek the help or services of a suitable person to carry out specific task(s) from members of the Association on a voluntary basis or may employ a suitable person to manage day-to-day affairs of the temple in accordance with guidelines established by the committee and any specific instructions issued from time to time.

12. MEMBERSHIP OF THE COMMITTEE

- (1) The committee shall consist of the following 15 member (all of whom shall be financial members of the Association):

- (a) president;
- (b) two vice-presidents
- (c) secretary
- (d) assistant secretary
- (e) treasurer
- (f) manager
- (g) public officer, and
- (h) committee members (seven positions, including three ex-officio members)

13. MEETINGS OF THE COMMITTEE

- (1) The committee shall meet in Canberra or its suburbs to conduct its business as often as the president, or in his absence one of the vice-presidents, shall deem necessary.
- (2) The presence of seven members shall constitute a quorum, but one of those presents has to be either the president or a vice president.
- (3) At every meeting of the committee, the president and, in his absence one of the vice-presidents, shall preside the meeting.
- (4) Questions arising at any meeting shall be decided by a majority of votes unless required otherwise by the constitution and in the case of a tie, the chairman, in addition to his deliberative vote shall have a casting vote.
- (5) The secretary shall at the request of the president or in his absence either of the vice-presidents or any four-committee members convene a meeting of the committee
- (6) If the president and two vice presidents absent themselves at two successive meetings called at three weeks interval, a meeting may be called by the secretary in their absence at the request of at least four committee members. Such a meeting shall consider only matters relating to day-to-day running of the Association. Decisions taken at such a meeting shall be communicated to the president and two vice presidents within ten working days after the meetings.
- (7) The committee may act notwithstanding any vacancy in the committee, provided however that the number of members present at the committee is not less than the number necessary for a quorum.
- (8) The proceedings of all meetings shall be duly recorded.
- (9) The committee may invite a non-member to attend a meeting for the purpose of providing advice on specific issues where it is considered by the committee that such attendance shall be of benefit to the Association. The invited person shall attend only that part of the committee meeting to which his/her advice is relevant and will not have a right to vote.
- (10) Meetings may be conducted virtually through electronic media such as telephone, Internet, Video and/or Audio conference facilities. Minutes and other records may be kept on electronic media such as disk, Google Drive etc.

14. FINANCIAL YEAR

The financial year of the Association shall be from 1 July to 30 June of the following year.

15. ANNUAL GENERAL MEETING

- (1) The annual general meeting of members shall be held in Canberra or its suburbs once every year, within three months after the end of the previous financial year, and it shall transact the following business:
 - (a) consider and, if appropriate, confirm the minutes of the previous annual general meeting and every general meeting or meetings held since the last annual general meeting;
 - (b) receive and consider the audited annual financial statements and the reports of the committee.
 - (c) elect a new executive committee at the AGM or at any other time
 - (d) other business of which notice in writing has been given to the secretary at least 21 days prior to the annual general meeting;
 - (e) any other business raised from the floor at the annual general meeting
 - (f) appoint an auditor for the ensuing year.

- (2) Continuity of office:

The members of the committee previously elected or co-opted shall be deemed to continue to hold office until a new committee is elected at a general meeting, whether annual general or special.

- (3) Elections

- (a) When the elections of the members of the executive committee fall due, the secretary shall appoint a returning officer and inform members to submit nominations to the returning officer. Nominations shall be called at least 4 weeks before the AGM.
- (b) At the time of nomination, the nominee, the proposer and the seconder shall be financial members of the Association. Nominations duly proposed and seconded by financial members of the Association with the signed consent of the nominee should reach the returning officer fourteen clear days before the annual general meeting. The returning officer shall advise the secretary of the nominations received one week prior to the annual general meeting.
- (c) Immediate past president and two vice-presidents will be offered positions as ex-officio members of the committee. If after these offers any of these three positions remain vacant, these three vacant position(s) will be open to nomination/election.

- (d) in cases where there is only one nomination per vacancy, or less nominations than vacancies, then the person or persons so nominated shall be declared elected unopposed at the annual general meeting. If there are vacancies left after the nominations have been considered, further nominations may be called for at the annual general meeting. where there are more nominations than vacancies available, elections will be held at the AGM or a special AGM by a secret ballot
- (4) Voting at elections
- (a) Voting at elections shall be by secret ballot provided an election is necessary;
 - (b) Only financial members present at the annual general meeting on the day of the election shall be eligible to vote, proxy and postal voting shall be available to those members who apply to the returning officer at least 7 days in advance stating the reasons for inability to attend the meeting;
 - (c) Two members (whose names appear on the register) of each family will be entitled to vote;
 - (d) Associate member shall not be entitled to vote

16. VACANCIES IN EXECUTIVE COMMITTEE

- (1) The committee will endeavor to keep the executive committee to its full strength at all times by co- opting additional members as necessary.
- (2) A vacancy on the committee arising after elections but before the next general meeting may be filled by appointment made by the committee co-opting members, and the member appointed to fill that vacancy shall hold office as other elected committee members.
- (3) Sub-Article (2) applies also where a member of the committee obtains leave of absence for such period of his current term of office as exceeds three months, except that the member appointed shall fill the vacant position until the return from leave of the elected member.

17. VACATION OF OFFICE

For the purposes of these Articles, the office of an executive member or of a sub-committee member shall become vacant if the member:

- (1) ceases to be member by virtue of Article 9;
- (2) has been declared in accordance with the law to be of unsound mind or has become incapable of performing his duties as member; or

- (3) fails without leave granted by the committee to attend three consecutive meeting of the committee.

18. QUORUM

- (1) No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business. Twenty-five per cent of the eligible voters of the Association present in person shall form a quorum except when matters relating to sale, disposal or distribution of assets of the Association, outside the powers of the committee, are to be considered. In such cases the requirements of para 6(5)(c) and 6(8)(d) will apply to form the quorum.
- (2) If the quorum is not present within half an hour from the time appointed for the meeting, the meeting shall stand adjourned to such day, and at such time and place, as the committee determines or, if no determination is made by the committee, to the same day in the next week at the same time and place. If at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall constitute a quorum.

19. PROCEEDING AT GENERAL MEETING

- (1) the president and in his absence one of the vice-presidents shall preside at every meeting of the Association, and in the absence of the three, the members present shall elect one of their members to preside;
- (2) the chairman may with the consent of the members present, adjourn any meeting from time to time, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place;
- (3) resolutions (save those for which a special majority is specifically provided for in the constitution) shall be carried by a simple majority of members present and voting at the meeting. In the case of equality of votes the chairman shall have a casting vote.

20. MINUTES

- (1) The secretary shall keep full and correct minutes of all resolutions and proceedings of every general meeting and of all meetings of the committee in books provided for the purpose, together with a record of the names of the members of the committee present at the relevant meeting;
- (2) such minutes shall be signed by the chairman of the meeting at which the proceedings took place or in his/her absence by the committee members present at that meeting at the next succeeding meeting. The minutes so signed shall be an authentic record of what transpired at the relevant meeting.

21. PRESIDENT

The president shall:

- (1) be the spokes person of the Association
- (2) chair all meetings of the committee and general meeting(s).
- (3) have both deliberate and casting vote

22. VICE PRESIDENT

The vice presidents shall work in close co-operations with the President. One of the vice-presidents as nominated by the president or the committee shall exercise all the powers and perform all the functions of the president in the latter's absence.

23. SECRETARY

The secretary shall:

- (1) be responsible for the day-to-day activities and administration of the Association in collaboration with other members of the committee;
- (2) call meetings of the Association and keep full and correct minutes of all resolutions and proceedings of every meeting in the minutes' book together with a record of names of persons present at such meeting;
- (3) prepare a programme of activities of the Association for the year and take effective steps for its implementation;
- (4) attend to all correspondence relating to the Association;
- (5) keep in his/her custody or under his/her control all books, documents and securities of the Association except as otherwise provided in these Articles.
- (6) maintain all insurance policies relating to property, indemnity and liability and take all reasonable steps to minimise financial risks

24. ASSISTANT SECRETARY

The assistant secretary shall work in close co-operation with the secretary and share duties with the secretary. He/she shall exercise all the powers and perform all the functions of the secretary in the latter's absence.

25. TREASURER

The treasurer shall:

- (1) collect and receive subscriptions, donations and all monies paid to the Association and issue receipts promptly there for;
- (2) make all payments authorized by the committee;
- (3) credit all monies received at the earliest possible date to the account of the Association;
- (4) sign all cheques, drafts, bill of exchange, promissory notes and other negotiable instruments up to the value of \$1000.00 or a larger amount approved by the executive committee in writing: such documents shall also be signed by either the president or the secretary;
- (5) keep proper receipt books, vouchers for disbursements and account books showing the financial affairs of the Association;
- (6) maintain a Register of Members setting forth their names and addresses;
- (7) maintain an inventory of the property (movable and immovable) of the Association, including documents;
- (8) present financial reports to the committee, and an audited statement of income and expenditures and a balance sheet at the annual general meeting; and
- (9) make available the accounts and books referred to in sub-clause (e) for inspection by a member upon request in writing to the committee.

26. PUBLIC OFFICER

The Public officer shall:

- (1) within 14 days of his election/nomination give notice in writing to the Registrar General of his appointment and his full name and address;
- (2) if the public officer changes his address, he/she shall within fourteen days after the change of address give notice in writing to the association and the Registrar General of the change.
- (3) be the custodian of Association seal;
- (4) deal with Registrar General and deal with other matters relating to the incorporated body;
- (5) file annual returns to the appropriate Government bodies to fulfill statutory obligations of the Association
- (6) once elected the public officer shall continue to hold office until another public officer has been elected.
- (7) if the committee of the Association has been dissolved or has otherwise ceased to function, the public officer shall call a special general meeting of the members

of the Association and that meeting will decide on the appointment of an administrator for a period not exceeding three months. The administrator will carry out the day to day affairs of the Association and will make arrangements for the election of a new executive committee during this period;

- (8) cease to hold office upon:
 - (a) death;
 - (b) departure from the Territory;
 - (c) absence from the Territory for a period of over 2 months without permission of the committee;
 - (d) resignation, provided that the public officer may not resign his office if there is no effectively functioning Executive Committee;
- (9) upon the public officer ceasing to hold office the committee shall at its next meeting appoint a new public officer

27. COMMITTEE MEMBER

The committee member shall be responsible for managing special projects and also in upholding the values and processes within the constitution in the working of the committee.

28. MANAGER

The Manager shall be responsible for the day to day running of the temple including but not limited to, ensuring adequate security, making bookings of the temple premises, ensuring cleanliness and maintaining sanctity of the temple.

29. GUIDELINES

The committee will develop and periodically enhance guidelines. These guidelines will act as reference material for day to day running of the Association. These guidelines will be in conformity with the constitution, in writing and given serial number for easy reference. The committee will publish these guidelines to maintain general interest amongst the membership.

30. AUDIT OF ACCOUNTS

The auditor, who shall not be a member, appointed in general meeting, shall examine accounts, vouchers, receipt books and records of a financial nature and prepare a report on the balance sheet and the income and expenditure account for the Association for submission to the annual general meeting, or to a special general meeting called for that purpose.

31. AUDIT OF ASSETS

There will be an internal audit of immovable and movable assets (including documents) of the Association at least once a year. The report of the most recent audit will be presented to the AGM.

32. SUB-COMMITTEES

- (1) The committee may from time to time appoint such sub-committees, as it considers necessary to assist it in carrying out the objectives of the Association, and shall prescribe the powers and functions of such sub-committees.
- (2) The chairperson of that sub-committee will have the authority to co-opt persons whether members of the Association or not as members of the sub-committee.

33. EXPULSION OF MEMBERS

- (1) A member may be expelled from membership of the Association by the committee if in the opinion of the committee the conduct of the member is prejudicial to the interests, objectives or purposes of the Association after affording such member an opportunity to explain his/her conduct, either verbally or in writing, provided that:
 - (a) such expulsion shall not be effective unless it is approved by a majority of two thirds of the members present and voting (such a vote to be taken by secret ballot) at an extraordinary general meeting convened for that purpose and held within one month of the date of decision of the committee to expel the member;
 - (b) at such a meeting the member shall be allowed to explain his conduct either verbally or in writing.
- (2) It shall be within the power of the committee to restrict such expelled member from participation in the affairs of the Association until the extraordinary general meeting is held.

34. PROPERTY OF THE ASSOCIATION

- (1) The income and property of the Association, however derived, shall be applied solely towards the promotion of the objectives and purposes of the Association and no portion thereof shall be paid or transferred directly or indirectly by dividend, bonus or otherwise, to any member of the Association.
- (2) The Association shall not appoint a person who is a member of the committee to any office of profit in the Association.

35. DISSOLUTION

- (1) Notwithstanding anything stated elsewhere in the constitution, the Association may be dissolved or wound up only by a special resolution passed by at-least three fourth majority of all financial members of the Association and in accordance with the process described below:
 - (a) A proposal to dissolve or wind up the Association may be put forward;
 - (i) by the committee who may call a special general meeting of all

members to consider the matter or

- (ii) by a resolution put forward by members at the annual general meeting.
 - (iii) The purpose of the resolution shall be to allow further consideration by all members at a special general meeting to be called no earlier than three weeks nor later than 3 months after the aforesaid resolution has been passed. The resolution must be passed and signed by at least 60 percent of all current financial members for dissolution or winding up of the Association.
- (b) Voting on the resolution shall take place at the special general meeting at which time the resolution must be passed with out amendments by a three-fourth majority of all members, If more than 10 percent of members who originally signed the proposal for dissolution, or winding up of the Association have ceased to be members of the association in the interim, the resolution shall be considered invalid and voting shall not proceed at the special general meeting.
 - (c) A new proposal to dissolve or wind up the Association shall not be put forward by the committee or the members for at least 30 days after the special general meeting.
 - (d) A new proposal to dissolve or wind up the Association as described under 35 (c) shall follow the same procedure as described under 35 (1) (a&b)
- (2) in the event of the Association being dissolved or wound up, its assets and property after the payment of all debts and dues shall not be distributed to members but shall be:
 - (a). distributed to a fund or funds with objectives similar to those of the Association or
 - (b). to a fund or funds exclusively for charitable purposes but devoted to the benefits of individuals of Hindu religion, or
 - (c). deposited in a perpetual trust account where from the income shall be used for the benefit of individuals of Hindu religion. The trust funds shall be managed by the public trustee.
 - (d). If three-fourth (3/4) majority cannot be achieved concerning the distribution of the property, funds and assets of the Association, the resolution to dissolve or wind-up the Association shall be invalid.

36. AMENDMENT OF THE CONSTITUTION

- (1) No amendments shall be made to the Constitution unless such amendments are accepted by a resolution passed by two thirds majority of eligible voters present at an annual or special general meeting notice of which contains all the terms of the proposed amendments;
- (2) if the required two-thirds majority is not obtained at the annual or special

general meeting for any amendment to the Constitution, because of lack of adequate attendance the committee may conduct a referendum of members.

- (3) notwithstanding 36 (1) above any amendments to the constitution, which relates to the dissolution or winding up of the Association must be passed by three-fourth majority of all current financial members of the Association.

37. INDEMNITY

Every member of the committee, auditor, secretary and every other executive member of the Association or servant of the Association shall be indemnified out of the assets of the Association from and against all claims, demands, actions and proceedings and all claims in connection with or arising there out made and brought against him or her either alone or jointly with the Association, or otherwise arising out of or in connection with the establishment, development, maintenance, repair, replacement, improvement, state, condition or use of any centre or centre's administered by the Association or the equipment or materials provided in connection therewith or any part thereof by any persons. The secretary shall affect a policy of insurance in respect of the aforementioned indemnity. Such indemnity shall not be applicable in case of liability against any or all community members for defrauding the Association.

38. COMMON SEAL

The common seal of the Association shall be kept in the custody of the public officer of the Association, and shall be affixed to an instrument pursuant to a resolution of the committee and not otherwise. Any two members of the committee shall respectively sign and countersign every instrument and document to which the seal is affixed and the public officer shall keep a record of all instruments and document to which the seal is affixed and notify secretary.

39. RELOCATION OF THE ASSOCIATION PREMISES

- (1) If the buildings comprising the present Temple or parts of the premises considered unsuitable to serve the objectives, the Association may acquire a new site for construction of a new Hindu Temple and Cultural Centre within the ACT. A new site can only be acquired after a special resolution, for which 21 days notice has been given, has been passed in a general meeting.
- (2) No steps for the disposal of the real property of the Association, for the construction of a new Hindu Temple and Cultural Centre shall be taken until a new site has been acquired. The special resolution required for disposal of the assets of the Association must specify that proceeds of the sale of the assets of the Association are to be applied towards the construction of a new Hindu Temple and Cultural Centre for the Association.

Attached:

Appendix A - Hindu Educational Foundation Building Fund (HEFBF)

Appendix B - Hindu Educational Shantiniketan Building Fund (HESBF)

Appendix A: Hindu Educational Foundation Building Fund (HEFBF)

Purpose and Objectives of the Fund

- On modern lines and on right basic principles to teach and broaden students' knowledge of the "Hindu religion" to disseminate spiritual knowledge in the most effective way. These educational activities are a part of the Hindu religion similar to Sunday school, Adult Education
- Train students to disseminate (including teaching of languages - Sanskrit, Hindi and other Indian regional languages) spiritual knowledge to the wider Australian community.
- Teach English language to new migrants and their families
- Conduct scriptures education (Ramayana, Gita, Vedas, Upanishads, Bhagvatam etc.)
- Vedic Chanting, Hindu Hymns lessons and Hindu philosophy.
- Encourage research work in the various branches of philosophy and comparative religion.
- Promote Hindu Dharma and culture through participation in various spiritual activities.
- To foster inter-religious harmony, mutual understanding and respect for religious views of others and promote universal brotherhood.
- To take such other Steps from Time to Time as may be necessary for effecting a quick and effective moral and spiritual regeneration in the world in general and Australia in particular.
- To build an Educational Centre, Public library and a museum.
- To solicit and receive gifts towards carrying out the objectives of the Fund.
- To establish "Hindu Educational Foundation Building Fund" to achieve the said purpose and objectives.

Donations

- The general public will be invited to make gifts to the Fund for the purposes of carrying out the objectives of the Fund.

Rules of the Fund

1. An account will be established in the name of the fund to which all gifts to the Fund shall be deposited intact at the earliest possible date to the specified credit of the account. This account must only include any money or property which is a gift to the Fund or which is received because of such gifts including, without limitation, interest received on any monies in the account.
2. All receipts for gifts must be in the name of the Fund, and shall be issued at the earliest possible time.
3. The Fund is a non-profit fund. The assets and income of the Fund shall be applied solely in furtherance of the objects of the Fund and no portion shall be distributed directly or indirectly to any individuals except as bona fide compensation for services rendered or expenses incurred on behalf of the fund.
4. Management of the Fund:
 - (a) The management of the Fund will be carried out by a management committee of 5 members consisting of 4 members appointed every five years by the AGM of the Hindu Temple and Cultural Centre of the ACT Inc and the current President of HTCC.
 - (b) The management committee shall consist of a majority of responsible persons.
A 'responsible person' means an individual who because of their tenure of some public office or their position in the community, have a degree of responsibility to the community as a whole.

5. The management committee must notify the Australian Taxation Office of any alternations made to the Fund rules.
6. In the event of the Fund being wound up, any surplus assets remaining after the payment of liabilities of the Fund shall be transferred to another organization or fund with similar purposes to which income tax deductible gifts can be made.

Appendix B: Hindu Educational Shantiniketan Building Fund (HESBF)

Purpose and Objectives of the Fund

- Provide Hindu Educational Services to the growing Hindu community in the A.C.T
- Establish and run Hindu Educational Centre
- Teach Hinduism to the wider Australian community in the A.C.T These educational activities are a part of the Hindu Religion similar to Sunday School, Adult Education
- Teach languages - Sanskrit, Hindi and other Indian regional languages to the wider Australian community.
- Teach English language to new migrants and their families
- Teach Hindu scriptures (Ramayana, Gita, Vedas, Upanishads, Bhagvatam etc.)
- Teach Vedic Chanting, Hindu Hymns lessons and Hindu philosophy.
- Encourage research work in the various branches of philosophy and comparative religion.
- Build an Educational Centre and a library.
- Solicit and receive gifts towards carrying out the objectives of the Fund.
- Establish “Hindu Educational Shantiniketan Building Fund” to achieve the said purpose and objectives.

Donations

The general public will be invited to make gifts to the Fund for the purposes of carrying out the objectives of the Fund.

Rules of the Fund

1. An account will be established in the name of the fund to which all gifts to the Fund shall be deposited intact at the earliest possible date to the specified credit of the account. This account must only include any money or property which is a gift to the Fund or which is received because of such gifts including, without limitation, interest received on any monies in the account.
2. All receipts for gifts must be in the name of the Fund, and shall be issued at the earliest possible time.
3. The Fund is a non-profit fund. The assets and income of the Fund shall be applied solely in furtherance of the objects of the Fund and no portion shall be distributed directly or indirectly to any individuals except as bona fide compensation for services rendered or expenses incurred on behalf of the fund.
4. Management of the Fund:
 - (a) The management of the Fund will be carried out by a management board of 5 members appointed by the trustees of HESBF to manage the activity of the “Hindu Educational Shantineketan Building Fund” and report thereon.
 - (b) The management committee shall consist of a majority of responsible persons. A ‘responsible person’ means an individual who because of their tenure of some public office or their position in the community, have a degree of responsibility to the community as a whole.
5. Management Committee

Hindu Temple & Cultural Centre of the ACT Inc. - Constitution 2017

- (a) The Committee shall be responsible for the curriculum that is to be taught. The design of the curriculum takes into account the age of the student and their level of knowledge and level of prior learning.
 - (b) The Committee shall be responsible for selecting prospective teachers based on minimum standards that they have set. Teachers are required to be properly trained and to have appropriate qualifications.
 - (c) The Committee shall be responsible for student registration, assessments and certification process which all students to progress new levels.
 - (d) The management committee must notify the Australian Taxation Office of any alternations made to the Fund Rules.
6. In the event of the Fund being wound up, any surplus assets remaining after the payment of liabilities of the Fund shall be transferred to another organization or fund with similar purposes to which income tax deductible gifts can be made.

Signed:

SD
President

SD
Secretary

SD
Public Officer