

CONSTITUTION OF AUSTRALIAN SUDANESE ALMS SOCIETY INC.

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Part - 1: Preliminary.

1 - 1 Preamble.

Australian Sudanese Alms Society is a philanthropic non-profit society aiming to encourage brotherhood among its members and their families. It will spare no endeavor to provide activities that suits its members needs and help them develop their talents and abilities, and give help and support during crises. However due to the escalating burial costs recently this society will give more attention to accomplish the (eternal home) project, hoping to minimize burial costs and ultimately provide this service with low cost to the society members and their families It is a challenge to a society yet in the cradle, but with determination of members and the help of those who wish a decent farewell in their way to eternity, dreams will come true.

1 - 2 Definitions.

In this constitution the words hereunder will have the meaning corresponding to each unless context gives a different meaning.

- a) **Society:** Means Australian Sudanese Alms Society Inc. and may be refer to as (ASASI).
- b) **Member:** Means a person enrolled as a member of the society in its members register.
- c) **General assembly:** Means the annual general meeting of the society.
- d) **Special meeting:** Means any general meeting of the society other than the general assembly.
- e) **Committee:** Means the executive committee of the society elected in a general assembly or a special meeting.
- f) **Chairman:** Means a member of the committee appointed as chairman of the society.
- g) **Secretary:** Means a member of the committee appointed as secretary of the society.
- h) **Constitution:** Means the constitution of the society.

i) The Act: Created by Fair-trading.

j) The Regulation: Created by Fair trading.

1 - 3 General rules.

a) Laws and regulations of the state of NSW has precedence over this constitution.

b) Matters not covered in this constitution, if any, can be resolved with reference to the Act and NSW Fair Trading Model constitution.

c) The head office of the society be located in Sydney.

d) The society must be transparent in all its financial dealings.

e) The society financial resources comprise fees, subscriptions, donations, grants, subsidies, and any other legitimate and lawful sources.

f) The financial year of this society.

i) Commences on the date of its registration and ends on 30th next June.

ii) then starts annually on 1st. July and ends on 30th June next year.

g) The society may have an emblem and a stamp.

h) This constitution will come into effect at the date the society is registered.

Part - 2: Membership.

2 - 1 Eligible Persons.

A person is eligible to be a member of this society if he/she is,

a) A person of 18 years of age or over and

b) An Australian Muslim from Sudanese background or

c) A Sudanese holding an Australian residence permit, Australian citizen or holding permanent or temporary residency, but not included visitors or

- d) A family member of an Australian of Sudanese origin, or a family member of a Sudanese holding an Australian residence permit.

2 - 2 Nomination.

- a) To become a member of the society a person must submit an application in the form provided for this purpose, as in (Appendix A1).
 - i) Applications must be lodged with the secretary who will bring them before the committee. The committee can accept or reject any application.
 - ii) It is the duty of the secretary to advise the applicant whether his/her application is Accepted or not.
- b) The secretary must without delay add details of new members to the members register.
- c) The secretary must keep in a separate file and in a safe place all membership applications, Whether accepted or not.
- d) Persons who form the constituent meeting of the society do not need to submit applications And are considered constituting members.
- e) Persons notified of their acceptance as members must within 15 days start paying their subscriptions.

2 - 3 Responsibility of members.

All members of the society are expected to:

- a) Respect the constitution and act according to its provisions.
- b) Carry all duties assigned to them by the committee or by any person authorized by the committee.
- c) Give accurate details of their postal and e-mail address and notify the secretary without delay

of any changes that occur.

- d) Regularly pay subscriptions to contribute to payment of the society's expenses.**
- e) i) Not transfer their rights and privileges which they acquired by being members of the society to any other person.**
- ii) Not to use any privileges conferred to them by the society or by holding any of its posts, to make personal gains, or gains to their family members or to other members.**
- f) Not to disclose any information that may harm the society in any way, otherwise will be subject to disciplinary action or even prosecuted.**

2 - 4 Members rights.

- a) The member has the right to inspect the members register and other financial books of the society.**
- b) The member can ask that all or part of his personal information not to be disclosed unless such disclosure is a law requirement.**
- c) All members of the society have the right to vote.**
- d) Any member can appeal disciplinary actions against him/her to the committee or the general meeting. This can be done by:**
 - i) lodging an appeal in writing with the secretary who will bring it before the next meeting of the committee or the general meeting.**
 - ii) after a decision is taken the secretary must notify the appellant of the outcome.**
- e) The member has the right to resign the membership of the society by giving notice of 15 days to the secretary and on expiration of this period his/her membership terminates**

2 - 5 Members Liabilities.

The liability of the society member to contribute towards the payment of debts and liabilities of the society, or the costs, charges and expenses of the winding up of the society is limited to the amount, if any, unpaid by the member in respect to his/her subscription and fees.

2 - 6 Cessation of membership.

A person ceases to be a member of the society if:

- a) he/she submit in writing a resignation to the secretary and within 15 days did not withdraw it.

During this period the member is suspended and must not participate in any activity, or

- b) dies, or

- c) is expelled from the society, or

- d) convicted in a criminal offence and sentenced with imprisonment, or

- e) a person chose to live permanently outside Australia, or

- f) upon failure to settle unpaid subscriptions/fees after being warned.

- g) When the membership of a member of the society terminates the secretary must remove his/her name from the members register.

2 - 7 Subscriptions.

- a) Subscriptions are made up of:

1 - Yearly Subscriptions)

2 - Donation from the members or others)

Subscriptions, donations and grants exclusive for (eternity home) must be deposited in a separate bank account in the name of (eternity home). Funds in this account are used only to finance (eternity home) project and meet deceased burial expenses.

- b) Subscriptions/fees and donations are not refundable.

2 - 8 Members register.

- a) The secretary must keep and maintain a register of members of the society showing details of members of the society as in (Appendix A2).
- b) The members register must be open for inspection by all members.

2 - 9 Voting.

- a) Each member will have one vote in any meeting, provided he or she has paid all his or her subscriptions as set out by the committee before the date at which the meeting is called to convene.
- b) Voting by proxy or postal ballots is not permitted.
- c) In meetings taking votes can be by raising hands or by a ballot.

2 - 10 Disputes.

- a) Internal Disputes between members in their capacity as members of the society can be resolved by the committee.
- b) Disputes between members in their capacity as members and the committee can be resolved by the general assembly or a special meeting.
- c) Other disputes can be referred to mediation under Community Justice Centers Act 1983.

Part - 3: General meetings.

3 - 1 Powers of general meetings.

The general meeting of the society whether it is a general assembly or a special meeting is the highest authority in the society and its decisions are binding to the committee and to all members.

- i) Powers of the general assembly includes but not limited to:
 - a) Approval of budgets, financial reports and work plans presented by the committee.
 - b) Appoint through election committee members and remove them.
 - c) Subject to the Act, and the Regulation the general assembly can pass any resolution necessary for proper management of the affairs of the society, or to resolve any issues
 - d) Amend the constitution, by a special resolution passed by the general assembly according to section 39 of the Act.
- ii) A special general meeting can only decide on matters for which it has been called to convene.

3 - 2 Meetings quorum.

- a) The required quorum in general meetings is half registered members of the society entitled to vote plus one.
- b) If quorum was not attained the meeting will be adjourned and a second meeting must be called to convene after 21 days. The second meeting is considered quorum if attended by 5 members entitled to vote.
- c) A meeting that starts quorum will stay so even some members left the meeting.
- d) Written or by phone apology from the general meeting consider attendance to the meeting.

3 - 3 Call of meetings.

- a) General assembly.
 - i) The society must hold its first general assembly within 6 months after has been Registered under the Act.
 - ii) Subsequent meetings to be convened annually within 2 months after the end of the

society financial year.

b) Special meeting.

- i) The committee can call for a special meeting whenever it thinks necessary.
 - ii) Upon the request of 15 members the committee must call for a special meeting to convene. Provided the requisition specify the purpose of the meeting, and is dully signed by the 15 members.
 - iii) The committee must then call for the meeting to convene not later than one month from the date the requisition was submitted.
- c) i) The secretary must give notice to all members to attend any meeting at least 14 days before the date fixed for the meeting to convene. The notice must state date, time and place of the meeting.**
- ii) In case of special meetings the notice must specify the purpose of the meeting.

3 - 4 Procedure of meetings.

- a) The chairman presides the meeting sessions, and in his absence the eldest member of the present other than the secretary, will take place.
- b) The meeting starts by ascertaining that a quorum of members entitled to vote is present.
- c) Agenda of the meeting will either be distributed or read to members.
- d) The secretary takes minutes of the meeting.
- e) On taking decisions if there is equality of votes the chairperson will have a casting vote.
- f) The chairperson and the secretary must sign the minutes after the meeting adjourns.

Part - 4: The Committee.

The committee consists of seven members elected in a general assembly or a special meeting.

4 - 1 Nomination.

- a) Nomination of candidates in a general meeting to be elected as members of the committee must be seconded.
- b) The chairperson must ask the nominee if he/she accept the nomination or not, before proceeding to the next nomination.
- c) The elected committee members will stay in position for three years

4 - 2 Powers of the committee.

- a) The committee may exercise all powers to manage, plan and run the affairs of the society other than those powers required by this constitution to be exercised by the general assembly. The Committee authorized to create rules not in the constitution to do her job systematically)
- b) The committee can take all decisions and actions that it thinks are in the interest of the society and will boost its financial resources.
- c) The committee has the right to discipline members of the society. Penalties may progress from reprimand, fine, suspension and expelling, and may be imposed separately or concurrently.
- e) The committee can appoint members to hold offices and decide the exigencies of their work and can remove them.

4 - 3 Committee and funds management.

- a) The committee is responsible for the management of funds and financial resources of the

society and in this respect must:

- i) Ensure that resources are prudently allocated and that funds are used pursuant to the objectives of the society.
 - ii) approve opening and closure of bank accounts, and designate members or persons authorized to sign cheques and all other negotiable instruments.
 - iii) Ensure that cheques and negotiable instruments must be signed by two members.
- b) The committee decides from time to time amount of subscriptions and fees and method of payment

4 - 4 Committee meetings.

- a) The committee is expected to meet at least every month.
- b) The chairman presides the meetings, and in his/her absence the eldest member of the present other than the secretary will presides the meeting.
- c) 4 members of the committee constitute quorum of any committee meeting.
- d) Decisions in committee meetings will be taken by simple majority i.e half of members present plus, one. In case of equality of votes the chairperson will have a casting vote.

4 - 5 Composition of the committee.

- a) In its first meeting the committee will appoint by election from within its members the following office-bearers.

1 - Chairman of the society.

His/her duties include;

- i) Presides meetings.
- ii) liaise with other societies in matters of common interest.
- iii) Prepare agenda of meetings.

2 - Secretary of the society.

After being appointed the secretary must as far as possible make his/her address and place of residence known to all members.

Duties of the secretary include:

- i) Making calls to meetings and insure that concerned members were notified.**
- ii) Take minutes of the committee meetings and those of the general meeting, and keep separate records for both minutes.**
- iii) Keep in a safe place members register and make an electronic backup copy of it.**
- iv) Keep 2 separate files for each of general meetings and committee minutes.**

3 - The treasurer.

Duties of the treasurer include:

- i) Insure that all money due to the society are collected and received, and that all payments authorized by the committee are made.**
- ii) Keep account books showing details of all money received and paid by the society.**
- iii) Every 4 months present to the committee summary of the society financial position including receipts, payments and assets.**

4 - 6 Causal Vacancies.

a) Causal vacancy in membership of the committee occurs if:

- i) A member of the committee ceased to be a member of the society as detailed in paragraph (2- 6 cessation of membership) above, or**
- ii) Resigned his/her position as committee member in writing to the chairman, or**
- iii) Became mentally incapacitated.**

- b) The committee will then appoint a member of the society to fill the vacancy, giving preference to those who contested to committee membership in the last election, in descending order of the number of votes they attained.**
- C) The person who was appointed to fill a causal vacancy will remain in position till the end of the committee office term.**

Part - 5: The project.

5 - 1 Project name:

Project name is (Eternity Home)

5 - 2 Services.

The project is intended to provide burial services to Muslim members of the society .

Further may share in burial or transport costs of the deceased human remains.

5 - 3 Project components:

The following are essential for the project to provide the intended services.

- 1 - A number of graves in Muslim cemeteries.**
- 2 - A van equipped to transport deceased bodies.**
- 3 - A room suitable for washing deceased bodies.**

Appendix: **A1 Australian Sudanese Alms Society Inc.**

Membership Application Form

N.B: Please complete this form in **BLOCK LETTERS** and in **BLUE** or **BLACK** ink.

A - APPLICANT: Mr. Mrs. D.O.B / /

Given Name: Family Name:

Address: Unit/St. No. Street: Suburb:

State: Post Code:

E-mail: phone No

B- Spouse: Given Name: Family name:

C – Family Members: If no family members are included write **(None)**

1- Name: Age: (kinship)

2 – Name: Age: (kinship)

3 - Name: Age: (kinship)

4 - Name: Age: (kinship)

D – Name and phone No. of a person to be contacted in case of emergency.

Name: Home phone.....

Mobile 1: Mobile 2:

i) - I the applicant being over 18 years of age would like to become a member of the Australian Sudanese Alms Society Inc. and agree to be bound by its constitution, rules and regulations. Further I agree to subscribe in the (eternity home) project.

ii) - I the above named applicant solemnly declare that all information I provided above are correct and true to the best of my knowledge.

Signature of applicant..... Date: / /

Committee Decision: Date: / /

SAMPLE