



Jaffna University Graduates Association Inc.

THE CONSTITUTION
of the
JAFFNA UNIVERSITY GRADUATES ASSOCIATION Inc.

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THE CONSTITUTION OF THE JAFFNA UNIVERSITY GRADUATES ASSOCIATION Inc.

PART I - PRELIMINARY

1.1 Name

The name of the Association shall be the Jaffna University Graduates Association Inc. ("the Association").

1.2 Address

The Association shall have a postal address, which may or may not be the same as the Association office location.

1.3 Language

All business of the Association shall be conducted in English. However, in meetings, translation into Tamil may be provided on request.

1.4 Objectives of the Association

The objectives of the Association are:

- (i) To promote, foster and maintain links between the Association's members;
- (ii) To provide recreational, social, development needs, services and opportunities to the Association and its members;
- (iii) To maintain links with the graduates of the University of Jaffna and to assist them to create a network and maintain contact with the Association;
- (iv) To raise funds through donations from its members and well-wishers, organize concerts and cultural functions and other activities for the purpose of meeting the aims and objectives of the Association;
- (v) To provide development needs for the students of the University of Jaffna;
- (vi) To provide humanitarian assistance to the people in North and East of Sri Lanka;
- (vii) Generally, to do, to engage in and execute all such other acts, deeds or things as are or may be necessary for or incidental or conducive to attainment of the objectives of the Association.

1.5 Interpretation

In these rules, unless a contrary intention appears:

“the Association” means the Jaffna University Graduates Association Inc.;

"financial year" means the year ending on 30 June;

“member” means a member, however described, of the Association;

“associate member” means an associate member, however described, of the Association;

“ordinary Committee member” means a member of the Management Committee who is not an office-bearer of the Association as referred to in rule 3.2;

"Secretary" means the person holding the office under these rules as Secretary of the Association or, where no such person holds that office, the public officer of the Association;

"the Act" means the *Associations Incorporations Act 2009 of New South Wales*;

"the Regulations" means Associations Incorporation Regulations.

PART II – MEMBERSHIP

2.1 Membership

The membership shall be open to all graduates and tutorial staff of the University of Jaffna now resident in Australia.

2.2. Membership Qualifications

- (i) A person is eligible to be a member if –
 - (a) in the case of Graduate Membership, the person –
 - i. is graduated from the University of Jaffna or its Affiliated Colleges (includes diploma holders and all honorary graduates).
 - ii. has applied for membership in accordance with rule 2.3.
 - (b) in the case of Associate Membership, the person –
 - i. has to be a spouse or a de-facto partner of a Graduate Member in accordance with rule 2.3, and has been applied for membership by the Graduate Member who should be the spouse or de-facto partner of the applicant; or
 - ii. Studied at the University of Jaffna or its Affiliated Colleges.

2.3 Application for Graduate Membership

- (i) A person may apply for Graduate Membership of the Association by:
 - (a) completing the application form approved by the Management Committee (including completing the application form available on the Association's web site); and
 - (b) lodging the application form with the Secretary of the Association (including lodging the application form electronically via the Association's web site) together with the supporting document proving his/her eligibility and the annual membership fee referred to in sub-rule 2.8(i) or the family membership fee referred to in sub-rule 2.8(ii) or the life membership fee referred to in sub-rule 2.8(iii).
- (ii) Where an application form along with the supporting document and the membership fee, referred to in sub-rule (i), have been received by the Secretary, the Secretary shall enter the applicant's name in the Register of Members and, upon the name being so entered, the applicant shall become a Graduate Member of the Association.

2.4 Application for Associate Membership

- (i) An application for Associate Membership of the Association shall:
 - (a) be made by a Graduate Member of the Association by;
 - i. completing the application form approved by the Management Committee (including completing the application form available on the Association's web site); and
 - ii. lodging the application form with the Secretary of the Association (including lodging the application form electronically via the Association's web site) together with the supporting document with proof of the annual membership fee referred to in sub-rule 2.8(i) or the family membership fee referred to in sub-rule 2.8(ii) or the life membership fee referred to in sub-rule 2.8(iii).
- (ii) As soon as practicable after receiving an application for Associate Membership, the Secretary shall refer the application to the Management Committee for approval.
- (iii) The Secretary shall, upon the Management Committee's approval of the membership, enter the applicant's name in the register of members and, upon the name being so entered, the nominee shall become an Associate Member of the Association.

2.5 Membership Entitlements Not Transferable

A right, privilege or obligation which a person has by reason of being a member of the Association –

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates upon cessation of the person's membership.

2.6 Cessation of Membership

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

- (a) dies;
- (b) resigns from membership of the Association;
- (c) is expelled from the Association; or
- (d) fails to be a financial member of the Association.

2.7 Resignation of Membership

- (i) A member is not entitled to resign from membership of the Association unless he/she gives notice (being not less than one month or, if the Management Committee has determined a shorter period, that shorter period) in writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (ii) Where the person ceases to be a member, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.
- (iii) The Membership fee shall not be refundable.

2.8 Membership Fees

- (i) Ordinary Membership:

The annual membership fee for the Graduate Member of the Association is \$50.00. This sum may be increased or decreased from time to time by the Management Committee.

The annual membership fee for the Associate Member of the Association is \$50.00. This sum may be increased or decreased from time to time by the Management Committee.

- (ii) Family Membership:

The annual membership fee for the Family Membership (both are Graduate Members or one of them is an Associate Member) is \$75.00. This sum may be increased or decreased from time to time by the Management Committee.

- (iii) Life Membership:

The life membership fee shall be \$300.00 per person or \$500.00 per family. This sum may be increased or decreased from time to time by the Management Committee.

2.9 Members' Liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the Association or towards the costs, charges and expenses of the winding-up of the Association is limited to the amount, if any, unpaid by the member in respect of the membership of the Association as required by rule 2.8.

2.10 Disciplining of Members

- (i) Where the Management Committee is of the opinion that a member:
 - (a) has persistently refused or neglected to comply with a provision of these rules; or
 - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the Association.

The Management Committee may, by resolution:

- (a) expel the member from the Association; or
 - (b) suspend the member from such rights and privileges of membership of the Association as the Management Committee may determine for a specified period.
- (ii) A resolution of the Management Committee under sub-rule (i) is of no effect unless the Management Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under sub-rule (iii), confirms the resolution in accordance with this rule.
 - (iii) Where the Management Committee passes a resolution under sub-rule (i), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:
 - (a) setting out the resolution of the Management Committee and the grounds on which it is based;
 - (b) stating that the member may address the Management Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the Management Committee at or prior to the date of that meeting written representations relating to the resolution.

PART III - THE MANAGEMENT COMMITTEE

3.1 Powers of the Management Committee

The Management Committee, subject to the Act, the Regulations, these rules, and to any resolution passed by the Association by general meeting -

- (a) shall control and manage the affairs of the Association;
- (b) may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by the Association in general meeting; and
- (c) has power to perform all such acts and do all such things as appear to the Management Committee to be necessary or desirable for the proper management of the affairs of the Association.

3.2 Constitution of Membership

- (i) The Management Committee shall consist of the office bearers of the Association and up to eleven ordinary Committee members each of whom shall be elected pursuant to rule 3.3 or appointed in accordance with sub-rule (iv).
- (ii) The office-bearers of the Association shall be:
 - a) the President;
 - b) the Vice President;
 - c) the Secretary;
 - d) the Assistant Secretary;
 - e) the Treasurer; and
 - f) the Assistant Treasurer.
- (iii) The Delegate appointed by the Management Committee for each State and Territories including Capital Territory under Clause 3.12 (viii) deem to be an ordinary member of Management Committee.
- (iv) Each member of the Committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.
- (v) In the event of death or resignation of an elected Management Committee member, the Management Committee may nominate a current member of the Association.

3.3 Election of Management Committee Members

- (i) Only a Graduate Member of the Association may nominate for election as a Management Committee Member.
- (ii) Nominations of candidates for election as officer bearers of the Association or as ordinary Management Committee members:

- (a) shall be made in writing, signed by two Graduate Members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
 - (c) shall be delivered to the Secretary of the Association not less than seven days before the date fixed for the annual general meeting at which the election is to take place.
- (iii) If insufficient nominations are received to fill all vacancies on the Management Committee, the candidates nominated shall be deemed to be elected and further nominations shall be called at the annual general meeting.
 - (iv) If insufficient nominations are received, any positions not filled are deemed to be vacant.
 - (v) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken to be elected.
 - (vi) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
 - (vii) The ballot for the election of office bearers and ordinary Management Committee members shall be conducted at the annual general meeting in such manner as the Management Committee may direct.
 - (viii) A person is not eligible to simultaneously hold more than one position on the Management Committee.

3.4 The President

- a) To preside on all meetings of the Association.
- b) The right to adjourn a meeting for a suitable reason.
- c) To represent the Association in external activities, including conferences, meetings and functions.
- d) To present the Annual Report to the Annual General Meeting.
- e) To give directions and guidance to all Association related activities.

3.5 The Vice-President:

- a) To act as President in the President's absence.
- b) To assist the President in the day to day running of the Association

3.6 The Secretary

- (i) The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, notify the Association of his or her address.
- (ii) The Secretary shall keep minutes of:

- (a) all elections and appointments of office-bearers and ordinary Committee members;
 - (b) the names of members of the Committee present at a Committee meeting or a general meeting; and
 - (c) all proceedings at Committee meetings and general meetings of the Association.
- (iii) Minutes of proceedings at a meeting shall be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.

3.7 The Assistant Secretary:

- a) To act as Secretary in the Secretary's absence.
- b) To assist the Secretary in the day to day running of the Association

3.8 The Treasurer

The Treasurer of the Association shall:

- (a) collect and receive all monies due to the Association and make all payments authorised by the Association; and
- (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

3.9 The Assistant Treasurer:

- a) To act as Treasurer in the Treasurer's absence.
- b) To assist the Treasurer in the day to day running of the Association

3.10 Vacancies

For the purposes of these rules, a vacancy in the office of a member of the Management Committee occurs if the member:

- (a) ceases to reside in Australia;
- (b) dies;
- (c) ceases to be a member of the Association;
- (d) resigns from the office;
- (e) is removed from office pursuant to rule 2.10;
- (f) suffers from mental or physical incapacity;
- (g) is disqualified from office under subsection 63(1) of the Act; or
- (h) is absent without any valid reason from all meetings of the Management Committee held during a period of six months.

3.11 Removal of Management Committee Members

The Association in general meeting may, by resolution, subject to Section 50 of the Act, remove any member of the Management Committee from the office of the member of the Management Committee before the expiration of the member's term of office.

3.12 Delegation by the Management Committee to Sub-Committee

- (i) The Management Committee may, by resolution, delegate to one or more sub-committees (consisting of such members of the Association including Associate Members as the Management Committee thinks fit) the exercise of such of the functions of the Management Committee as are specified in the resolution, other than:
 - (a) this power of delegation; and
 - (b) a function which is a function imposed on the Management Committee by the Act, by any other law of the Territory, or by resolution of the Association in general meeting.
- (ii) A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation;
- (iii) A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation;
- (iv) Notwithstanding any delegation under this rule, the Management Committee may continue to exercise any function delegated;
- (v) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if had been done or suffered by the Management Committee;
- (vi) The Management Committee may, by resolution, revoke wholly or in part any delegation under this rule;
- (vii) A sub-committee may meet and adjourn as it thinks proper; and
- (viii) The Management Committee can appoint a Delegate from each State/Territory including Capital Territory entrusted to carry out the request of the Committee.

3.13 Voting and Decisions

- (i) Questions arising from at a meeting of the Management Committee or of any sub-committee appointed by the Management Committee shall be determined by a majority of the votes of the members of the Management Committee or the sub-committee present at the meeting.
- (ii) Each member present at the meeting of the Management Committee or of any sub-committee appointed by the Management Committee (including the person

presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a casting vote.

- (iii) Subject to sub-rule (iii), the Management Committee may act notwithstanding any vacancy on the Management Committee.
- (iv) Any act or thing done or suffered, or purporting to have been done or suffered, by the Management Committee or by a sub-committee appointed by the Management Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Management Committee or sub-committee.

PART IV - MEETINGS

4.1 Meetings and Quorum

- (i) Meetings of the Association and the Management Committee shall be convened by the Secretary or by the President as and when found necessary. Three weeks notice shall be given to all members.
- (ii) The Annual General Meeting shall be held within three (3) months after the expiry of each financial year.
- (iii) Special General Meetings shall be convened by the Secretary on a requisition signed by one third (1/3) the number of members on roll or 15, whichever is less.
- (iv) The quorum for Annual General Meetings shall be one third (1/3) the number of members on roll or 15, whichever is less.
- (v) The quorum for Management Committee Meetings shall be one third (1/3) the number of Management Committee Members.
- (vi) The Agenda for the Annual General Meeting shall include:
 - a) Presentation and adoption of the minutes of the previous Annual General Meeting;
 - b) Presentation and adoption of the Annual Report by the President detailing the key activities of the Management Committee during the year;
 - c) Presentation and adoption of the Audited Financial Report for the financial year;
 - d) Election of a Management Committee for the new financial year;
 - e) Election of an Auditor for the new financial year; and
 - f) Any other business of which due notice has been given to the Secretary.
- (vii) The Management Committee shall meet at least every three months at such place and time as determined by the Management Committee.
- (viii) At meetings of the Association or Management Committee:
 - (a) the President, or in the absence of the President, the Vice President, shall preside; or
 - (b) if the President and the Vice President are absent, one of the remaining members of the Management Committee may be chosen by the members present to preside.

4.2 Notice

- (i) The Secretary shall, at least three weeks before the date fixed for the holding of the general meeting, cause to be delivered to members, or advertised in the Association newsletter, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (ii) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, at which business may be transacted pursuant to sub-rule 4.1(vi).

- (iii) A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary at least four weeks notice prior to the General Meeting who shall include that business in the next notice calling a general meeting given after the receipt of notice from the member.

4.3 Adjournment

- (i) The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business unfinished at the meeting at which the adjournment took place
- (ii) Where a general meeting is adjourned for 14 days or more, the Secretary shall give notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (iii) Except as provided in sub-rules (i) and (ii), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

4.4 Making of Decisions

- (i) A question arising at a general meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (ii) At a general meeting of the Association, a poll may be demanded by the person presiding or by not less than one third of members present in person or by proxy at the meeting.
- (iii) Where the poll is demanded at a general meeting, the poll shall be taken –
 - (a) immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

4.5 Voting

- (i) Subject to sub-rule 4.5 (iii), upon any question arising at a general meeting of the Association a member (irrespective of whether a Graduate Member or Associate member) has one vote only.
- (ii) All votes shall be given personally or by proxy but no member may hold more than one proxy.
- (iii) In the case of an equality of votes on a question at a General meeting, the person presiding is entitled to exercise a second or casting vote.

4.6 Appointment of Proxies

- (i) Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than 3 days before the time of the meeting in respect of which the proxy is appointed.
- (ii) The notice appointing the proxy shall be in the form set out in Appendix 1 to these rules.

PART V – GENERAL

5.1 Funds

- (i) Funds of the Association shall be maintained in two accounts namely "Jaffna University Graduates Association Inc." and "Jaffna University Graduates Association Development Fund" with a recognised financial institution as found appropriate by the Management Committee. The Treasurer shall be responsible for maintaining these accounts of the Association.
- (ii) The funds of the Association shall be derived from subscriptions, donations and such other sources as the Management Committee determines and in a manner not inconsistent with the objectives of the Association.
- (iii) The Association shall, as soon as practicable, issue an appropriate receipt.
- (iv) The funds derived from subscriptions (membership fee) shall be maintained in the "Jaffna University Graduates Association Inc." account and shall be used for the day to day running of the Association and for the objectives of the Association.
- (v) The funds derived from donations and other sources as the Management Committee determines shall be maintained in the "Jaffna University Graduates Association Development Fund" account and shall be used for the objectives of the Association.
- (vi) The funds of the Association shall be applied only for the promotion of the objectives of the Association. All cheques and other negotiable instruments drawn on behalf of the Association shall be signed by the Treasurer AND either by the Secretary or by the President of the Association.
- (vii) The funds shall not be paid to or distributed amongst present or past members of the Association under any circumstances.
- (viii) Any expenditure over \$500.00 must first be approved by the Management Committee. Expenditure up to and including the amount of \$500.00 must first be approved by the President and must be tabled before and ratified by the next meeting of the Management Committee.
- (ix) The Treasurer is not authorised to spend an amount exceeding \$100 from petty cash without the prior approval of the Management Committee.
- (x) In the event of an emergency requiring urgent approval of expenditure, in a situation where the Management Committee cannot be readily assembled, the President, or in his absence the Vice President, may approve expenditure up to and including the amount of \$2,000.00. The President or Vice President must then call an emergency meeting of the Management Committee, as soon as they can be assembled, to table and ratify the expenditure authorised.

5.2 Assets of the Association

The assets or an income generating, property or otherwise of the Association, shall not be given or transferred in any way to any person(s) or member(s) of the Association.

5.3 The Auditor

At each Annual General Meeting an Auditor shall be appointed who shall carefully audit all accounts of the Association and report to the following Annual General Meeting. The auditor so appointed shall be a member of some recognized institute of accounts, if available or shall be a person qualified in business practice who can carry out the duties of the auditor, and shall not be a member of the Management Committee

5.4 Alteration of Objectives and Rules

Neither the objectives of the Association referred to in Section 29 of the Act, nor these rules, shall be altered except in accordance with the Act.

5.5 Common Seal

- (i) The common seal of the Association shall be kept in the custody of the Secretary.
- (ii) The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of two members of the Committee or of one member of the Committee and of the Secretary.

5.6 Custody of Books

Subject to the Act, the Regulations and these rules, the Secretary shall keep in his or her custody or under his control all records, books and other documents relating to the Association.

5.7 Inspection of Books

The records, books and other documents of the Association shall be open to inspection at a place determined by the Management committee, free of charge, by a member of the Association at any reasonable hour.

5.8 Service of Notice

- (i) For the purposes of these rules and subject to rule 5.8, a notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (ii) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

5.9 Service of Notice by Fax or Electronic Mail

- (i) A notice or other document may be sent by fax or electronic mail, if the person to whom it is addressed has notified an address applicable to that system.
- (ii) A document sent by either of those systems is taken to have been received:
 - (a) when the sender receives acknowledgement that the addressee has personally seen it; or
 - (b) at the latest, on the first business day after the date of sending.

5.10 Amendments to the Constitution

- (i) Amendment to the constitution shall be considered only when presented as a resolution at an Annual General Meeting or a Special General Meeting at which at least two fifths ($2/5$) of the members on roll are present and passed by a majority of at least two thirds ($2/3$) of members voting for the resolution.
- (ii) If the required two fifths ($2/5$) of members on roll are not present at the meeting where the resolution for amendment to the Constitution is presented, the resolution shall be reconsidered at an adjourned meeting specially convened for the purpose. At the reconvened meeting, the stipulation regarding the presence of two fifths ($2/5$) of members on roll shall not operate.

5.11 Dissolution

- a) In the event of dissolution, the surplus assets of the Association shall be credited to the benefit of the University of Jaffna or to an approved charity nominated by the Association.
- b) The Association can only be wound up by three fourths ($3/4$) of the members on roll deciding to do so at a Special General Meeting.

Jaffna University Graduates Association Inc.

FORM OF APPOINTMENT OF PROXY

I,
(full name)

of
(address)

being a member of the Jaffna University Graduates Association Inc.

hereby appoint
(full name of proxy)

of
(address)

being a member of the Jaffna University Graduates Association Inc., as my proxy to
vote for me on my behalf at the

Annual General Meeting / General Meeting *(delete as appropriate)*

to be held on the day of 20.....

and at any adjournment of that meeting.

My proxy is authorised to vote in favour of / against *(delete as appropriate)

the resolution *(insert details)*

.....
(Signature of the member appointing proxy)

.....
(Date)

NOTE: A proxy vote may not be given to a person who is not a member of the association.
Send the completed form to: The Secretary, Jaffna University Graduates Association Inc., P.O.Box 77,
Toongabbie LPO, Toongabbie, NSW 2146