



THE CONSTITUTION OF SOUTH AUSTRALIAN BANGLADESHI COMMUNITY ASSOCIATION INCORPORATED

Adelaide, South Australia

Amended at AGM on the 29th of June, 2024

Table of Contents



ARTICLE I. NAME	4
Section 1.01 Definitions	4
Section 1.02 List of Abbreviations	4
Section 1.03 Interpretation	4
Section 1.04 Objectives and Purposes of the Association	4
Section 1.05 Mechanisms to Achieve the Objectives and Purposes	5

ARTICLE II. MEMBERSHIP	5
Section 2.01 Membership Categories	5
(a) Full Member	5
(b) Associate Member	5
(c) Honorary Member	5
Section 2.02 Membership Subscription	5
Section 2.03 Membership Application	6
Section 2.04 Resignation	6
Section 2.05 Expulsion of A Member	6
Section 2.06 Cessation of Membership	6
Section 2.07 Register of Members	6
Section 2.08 Transfer of Membership	7
Section 2.09 Responsibilities, Rights and Privileges of the Members	7
Section 2.10 Membership Ethics	7

ARTICLE III. MANAGEMENT OF THE ASSOCIATION	7
Section 3.01 Executive Council	7
Section 3.01.1 Advisory Council	7
Section 3.02 Election and Appointment of Executive Council	8
Section 3.03 Startup Committee of the Association	8
Section 3.04 Signing Contracts	8
Section 3.05 Transfer of Records	8
Section 3.06 Executive Council Meetings	8
(a) Meeting Chair	8
(b) Regular Meeting	8
Section 3.07 Vacancy	8
Section 3.08 Filling up of Vacancy	9
Section 3.09 Quorum	9
Section 3.10 Standing Committees	9
Section 3.11 Powers and Responsibilities of the EC members	9
(a) Responsibilities of the Chairperson	9

- (b) Responsibilities of the Vice Chairperson 9
 - (c) Responsibilities of General Secretary 9
 - (d) Responsibilities of Assistant General Secretary 10
 - (e) Responsibilities of the Finance Secretary 10
 - (f) Responsibilities of the Cultural Affairs Secretary 10
 - (g) Responsibilities of the Assistant Cultural Affairs Secretary 10
 - (h) Responsibilities of the Public Relations Secretary 10
 - (i) Responsibilities of the Student Affairs Secretary 10
 - (j) Responsibilities of the Executive Members 10
 - (k) Responsibilities of the Advisory Council Members 10
- Section 3.12 The Seal 10



ARTICLE IV. GENERAL MEETINGS 10

- Section 4.01 Annual General Meeting 11
- Section 4.02 Emergency Special General Meeting 11
- Section 4.03 Special General Meeting 11
- Section 4.04 Vote of No Confidence and Expulsion of a Member 11

ARTICLE V. APPOINTMENT OF AUDITOR 11

ARTICLE VI. BYLAWS 12

- Section 6.01 Election Procedure 12
- Section 6.02 Audit Procedure 12
- Section 6.03 Cultural Events and Entertainment Management 12
- Section 6.04 Arbitration 12
- Section 6.05 Membership Application Rejection Criteria 12
- Section 6.06 Inspection of Books 12
- Section 6.07 Finance Management 12
- Section 6.08 Amendments and Alterations of the Constitution 13
- Section 6.09 Notes for the Applicant for Membership 13

ARTICLE VII. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS 13

ARTICLE VIII. WINDING UP 13

ARTICLE IX. APPLICATION OF SURPLUS ASSETS 13

ARTICLE X. REGISTERED AND ADMINISTRATIVE OFFICE 13

ARTICLE XI. POWERS OF THE ASSOCIATION 13

ARTICLE XII. MANAGING BANGLADESHI COMMUNITY SCHOOL 14

THE CONSTITUTION OF SOUTH AUSTRALIAN BANGLADESHI COMMUNITY ASSOCIATION INCORPORATED *Adelaide, South Australia*



PREAMBLE

We, the Bangladeshi community members, living in South Australia have a strong desire to maintain our social bondage and communication among ourselves. We strongly feel that our children develop appreciation and intimate ties with their tradition, language, culture and lifestyle among themselves. We also intend to develop awareness of Bangladeshi culture, language, tradition and lifestyle among our Australian friends and neighbors to build a homogeneous and harmonious multicultural Australian society.

In order to accomplish these key objectives this constitution has been formulated and approved by the Founding Members of the Association in a meeting held on the 11th January 2004 at 5, Toorak Avenue, Bellevue Heights, 5050.

Article I. NAME

The name of the incorporated Association shall be “South Australian Bangladeshi Community Association”. The abbreviated name of the incorporated Association shall be (SABCA).

Section 1.01 Definitions

The meaning of the terms used in the constitution shall be as follows if it is not stated otherwise:

1. “Constitution” means the constitution of the Association.
2. “Association” mean the South Australian Bangladeshi Community Association Incorporated.
3. “Executive Council” means the committee of management of the Association.
4. “Member” means a member of the Association.
5. “General Meeting” means a general meeting of the members of the Association convened in accordance with the rules laid in this constitution.
6. “Annual General Meeting” means a general meeting of the members of the Association convened once in a year in accordance with the rules laid in this constitution.
7. “Office Bearers” mean members of the Executive Council of the Association.
8. “The Act” means the Associations Incorporation Act 1985.

Section 1.02 List of Abbreviations

SABCA	South Australian Bangladeshi Community Association
EC	Executive Council
GM	General Meeting
AGM	Annual General Meeting
SGM	Special General Meeting
EGM	Emergency General Meeting
GS	General Secretary
FS	Finance Secretary
GMB	General Members Body
SA	South Australia
BCS	Bangladeshi Community School
SMC	School Management Committee
AC	Advisory Council

Section 1.03 Interpretation

Any ambiguity in the meaning of any section of the constitution shall be resolved by the Executive Council subject to the approval of the GM of the Association.

Section 1.04 Objectives and Purposes of the Association

The objectives and purposes of the Association are as follows:

1. The Association shall be a purely non-profitable and non-political organization.
2. Establish closer ties among the members by showing mutual respect and by observing honesty and openness.
3. Provide cultural, intellectual, social, spiritual and charitable welfare to Bangladeshi descendants.

4. Strengthen the cultural ties and friendship between Bangladesh and Australia.
5. Develop and promote awareness of Bangladeshi culture, tradition and lifestyle among the Australian society.
6. Promote cultural exchange with any other group, organization or institution interested in Bangladeshi culture.
7. Liaise with the Federal Government, State Government, Local Government and Private Bodies to serve the interest of Bangladeshi nationals and students living in South Australia.
8. Provide assistance to Bangladeshi students and new arrivals in South Australia with the information and help, insofar as practically possible by the Association.
9. Organize cultural and religious functions and celebrate days of national significance.
10. Foster mutual respect and awareness among the members of different faiths.
11. Establish and maintain a Bangladeshi Community School (may have multiple campus) in order to educate children of Bangladeshi origin and others interested in Bangladeshi culture and language.



Section 1.05 Mechanisms to Achieve the Objectives and Purposes

The Association shall seek to provide following mechanisms in order to achieve the objectives and purposes described in Section 1.04.

1. A forum for exchanging information and views on matters of interest to the community members.
2. A forum to express common concerns of the community members.
3. Maintain a Bangladeshi Community School.
4. A forum to express views by distinguished speakers on topics of interest to the community.
5. A valid membership of SABCA is a prerequisite to hold a position in any organs of SABCA.

Article II. MEMBERSHIP

Section 2.01 Membership Categories

The Association shall offer three different types of memberships as outlined in the following. The age of a member shall be 18 year or above. Members of any category must be a resident of South Australia. A non-resident of SA who possess assets in SA or has acquaintances in SA shall not qualify to be a member of SABCA of any category.

(a) Full Member

The eligibility criteria for a Full Member shall be as follows:

1. An Australian citizen or permanent resident or any TR (Temporary Resident visa holder) who is a Bangladeshi national or of Bangladeshi descendant living in South Australia.
2. An Associate Member who is a Bangladeshi national or of Bangladeshi descendant and has been a member of this Association for a minimum period of one year irrespective of his/her Australian residency status.
3. Spouse of a Full Member irrespective of national origin.
4. An exception to rule 1 for the full membership category may be made for a Bangladeshi national or Bangladeshi descendant, who has been living in SA for a minimum of one year at the inception of the association on the 11th of January, 2004.

(b) Associate Member

The eligibility criteria for an Associate Member shall be as follows:

1. Any person who is a Bangladeshi national or Bangladeshi descendant living in SA and is not an Australian citizen or permanent resident or Temporary Resident.
2. Spouse of an Associate Member irrespective of national origin.

(c) Honorary Member

Honorary membership can be awarded for any period of time by the General Members body based to the following category of Australians.

1. Any person or organization for outstanding contribution to the Bangladeshi community.
2. Any Australian citizen who is not of Bangladeshi national or Bangladeshi descendant interested in Bangladeshi culture.

Section 2.02 Membership Subscription

1. Membership subscription fees of all categories shall be reviewed in the Annual General Meeting.
2. Subscription for a Full Member and an Associate Member shall be \$20 and \$10, respectively, per annum at the inception of the Association.
3. The membership year or the financial year is from the 1st of July to the 30th of June.
4. Renewal of membership fees must be paid by 31st of March to become an eligible voter in the Annual General Meeting held in the month of June every year. There shall be no waiver to this rule for any reason. The membership will be terminated if the membership renewal fee is not received by the 30th of June.
5. New members joining the Association on fulfilling the set of requirements (section 2.02 and 2.03) by the 31st of March

shall be deemed as an eligible voter in the Annual General Meeting held in the month of June every year.

6. There shall not be any pro-ration of dues for an existing member.

7. An applicant shall be deemed a member of the Association only after paying his/her membership dues upon approval of the membership by the EC.

8. The membership can be awarded to an eligible person at any time of a financial year.

9. New members joining the Association in **any quarter** of a financial year shall pay full scheduled full fee membership category.

10. New members joining the Association in the last quarter of a financial year shall pay full fees of the membership category applied for. Such membership shall be deemed valid until the end of the following financial year.

11. New Membership fees or the renewal membership fees must be paid to SABCA bank account individually or together for a family. New Membership fees or the renewal membership fees cannot be paid or accepted in bundles.

12. New members may request for a full refund if he/she withdraws his/her membership application within two weeks of joining the Association. No refund shall be made if withdrawn membership after two weeks of joining the Association.

13. Donations to the Association will always be welcome and must be made to the Finance Secretary.



Section 2.03 Membership Application

1. Any person, who agrees with the objectives of the Association, agrees to abide by its rules and satisfies the membership criteria as set forth in Section 2.01 may apply for membership.

2. Membership application shall be made in a prescribed form available from the Association.

3. Each membership application must provide with one reference from an existing member of the Association.

4. New membership fee shall not be accepted prior to the approval of the application by the EC.

5. New membership shall only be awarded upon the approval of Executive Council or General Members Body and payment of necessary subscription by the due date.

6. The EC reserves the exclusive right to reject any application based on the criteria set forth in Section 6.05.

7. In the event of rejection of an application, a notice of rejection shall be sent to the applicant within eight weeks of receiving the application, or by the following EC meeting of receiving the application, which ever comes first. Failure to send a rejection notice within eight weeks or by the following EC meeting of receiving the application, the said application shall be tantamount to the approval of the said application.

8. Any rejected applicant by the Executive Council may appeal to the General Members body for reconsideration. A two-third majority vote shall be required to overturn the rejection of membership application.

Section 2.04 Resignation

1. A member may resign from membership of the Association by giving written notice to the General Secretary of the Association.

2. Any member so resigning shall be liable for any outstanding subscriptions, which may be recovered as a debt due to the Association.

Section 2.05 Expulsion of a Member

1. Subject to giving a member an opportunity to be heard or to make a written submission, the General Members body may resolve to expel a Full or Associate Member upon a charge of misconduct, detrimental to the interests of the Association.

2. Particulars of the charge shall be communicated to the accused member, at least a month before the commencement of the General Members Meeting.

3. A special EC meeting with a single agenda must be called to decide if the charge shall be made. At least ten members must be present in such a meeting. Two-third majority shall be required to decide to form a charge against the accused person. The General Secretary shall communicate the charge to the accused person. Voting procedure in GM to carry out the expulsion of a member is stated in Section 4.04.

Section 2.06 Cessation of Membership

A person shall cease to be a member of the Association in any one or more of the following events:

1. Death

2. Resignation

3. Expelled from the Association in accordance with Section 4.04

4. Failure to pay membership fee by 30th of June

5. Moving out of South Australia

Section 2.07 Register of Members

A register of membership must be maintained containing at least the following information:

1. Membership number

2. The name and address of each member

3. The date on which each member admitted into the Association

4. Consent to be on the SABCA email group
5. Consent to publish address and telephone number
6. If applicable, the date of, and reason(s) for, termination of membership.



Section 2.08 Transfer of Membership

There shall be no transfer of membership to any other individual or organization.

Section 2.09 Responsibilities, Rights and Privileges of the Members

1. Attend any meeting organized by the GM body and express views on any issue following the protocol of the meeting.
2. Make positive contribution in the decision-making process in the meeting of GM body.
3. Make positive contribution in order to maintain peace and harmony in the Association.
4. Extend sincere help to the EC members so that any event becomes successful.
5. Pay subscription dues on time.
6. Each eligible voter in the Full Member category shall vote to elect all office bearers of the EC and to vote on any business presented before any General Meeting.
7. Each eligible voter in the Associate Member category shall vote to elect Student and Community Engagement Secretary and to participate in discussion on any business presented before any General Meeting.

Section 2.10 Membership Ethics

Each member shall observe following basic ethical guideline:

1. Be open and honest.
2. Show respect to each other.
3. Be respectful to the views, faiths, tradition and food habit of others.
4. Always uphold the views and honour of the Association.
5. Avoid sensitive political discussion in any of the Association’s official gathering.
6. Members of the Executive Council or the Association shall not receive any remuneration or share any profit from the Association. A member of EC or a member of any standing committee who has any direct or indirect financial interest in a contract with SABCA or with any organs of SABCA must not take part in the decision-making process with respect to that particular contract.

Article III. MANAGEMENT OF THE ASSOCIATION

1. The activities of the Association shall be managed by the Executive Council consisting of Eleven elected members (Preferably ten from the Full Member category and one from the Associate Member category, if available) each with a set of designated responsibilities as outlined in Section 3.11.
2. There shall be a backup role for each of the principal role of the Executive Council from the EC members.
3. Backup role member shall assume the role of the principal member in absentia of the principal role member.
4. The funds and other properties of the Association shall be managed by the Executive Council.

Section 3.01 Executive Council

The Executive Council of the Association shall be comprised of the following positions

1. Chairperson (Backup of Vice Chairpersons) -1
2. Vice Chairperson (Backup of Chairperson) -1
3. General Secretary (Backup of Assistant General Secretary) 1
4. Assistant General Secretary – (Backup of General Secretary) -1
5. Finance Secretary (Backup of Public Relation Secretary) 1
6. Public Relations Secretary (Backup of Finance Secretary) 1
7. Cultural Affairs Secretary (Backup of Assistant Cultural Affairs Secretary) 1
8. Assistant Cultural Affairs Secretary (Backup of Cultural Affairs Secretary)-1
9. Student and Community Engagement Secretary (Backup of 1st Executive Member) 1
10. Executive members – 2:
 - (a) First Executive Member (Backup of Student and Community Engagement Secretary and Second Executive Member)
 - (b) Second Executive Member (Backup of any position decided by EC)

Section 3.01.1 Advisory Council

Advisory Council of the Association shall be comprised of the following persons.

1. IPCP and PCPs (Immediate past Chairperson and Past Chairpersons) by virtue of their designation.
2. Past AC member served for two or more terms.
3. Any distinguished person approved by EC

Section 3.02 Election and Appointment of Executive Council

The full and the Associate Members of the Association shall elect Executive Council members of respective categories as outlined in the following:

1. The Chairperson, Vice Chairperson, General Secretary, Assistant General Secretary, Finance Secretary, Public Relations Secretary, Cultural Affairs Secretary and Assistant Cultural Affairs Secretary shall be elected from the Full Member category through simple majority in the AGM.
2. Student and Community Engagement Secretary shall be elected from the Full Member or Associate Member category through simple majority in the AGM.
3. An Election Commissioner appointed in the AGM shall manage the election of EC members.
4. The Election Commissioner shall follow the election procedure outlined in Section 6.01.
5. The term of office for the EC shall be two years from one AGM to the alternate AGM.
6. An office bearer of EC shall not hold the same position for more than two consecutive terms, provided another candidate is available.



Section 3.03 Startup Committee of the Association

The founding members of the Association shall appoint the first Executive Council of the Association. The first committee shall hold the office until the first AGM after incorporation.

Section 3.04 Signing Contracts

The Chairperson and the General Secretary shall sign all contractual documents of the Association.

Section 3.05 Transfer of Records

All records, assets, cash, bank accounts of the Association and every other charge shall be transferred to the custody of the newly elected EC on a mutually agreed date within a week after the conclusion of the election.

Section 3.06 Executive Council Meetings

(a) Meeting Chair

The EC meetings shall be chaired by the Chairperson, or by the Vice Chairperson in the absence of the Chairperson or by any member of the EC in the absence of both the Chairperson and the Vice Chairperson.

(b) Regular Meeting

1. The Executive Council shall hold preferably one regular meeting per quarter of a financial year.
2. The Executive Council shall hold preferably two meetings in preparation for the AGM.
3. The General Secretary shall notify the EC members preferably one week prior to the meeting with date, time and venue.
4. Each meeting shall have a set agenda along with any other business.
5. Each meeting shall confirm the minutes of previous meeting.

(i) Special Meeting

1. A special meeting may be called by the Chairperson, or in his absence Vice Chairperson or in his absence General Secretary by notice given to all members of the Executive Council two days prior to the meeting.
2. The notice of such meeting shall state the purpose of the meeting indicating time and venue.

(ii) Recording of Minutes

1. General Secretary or in his absence a member of the Executive Council nominated by the General Secretary shall record the minutes of the meeting in writing in the minute book of the Association.
2. The members present in the meeting shall put their initial in the minutes book at the end of the meeting verifying the minutes.
3. The General Secretary shall circulate the meeting minutes to the general members or at least archive it on the Association web page preferably within three weeks of the meeting.

Section 3.07 Vacancy

A position of the EC shall be declared vacant in any one or more of the following events:

1. Death of the person holding the office.
2. Resignation from the position in EC on any ground should be presented by writing a letter to the General Secretary or the Chairperson of SABCA. The resignation from the post shall be effective from the immediate EC meeting of receiving the resignation letter.
3. Refusal to serve in the position elected or selected for.
4. Suffer from mental or physical incapacity.
5. Failure to maintain membership of the Association.
6. Remain absent from three consecutive meetings of the EC without notifying the Chairperson or the General Secretary.
7. Consistently working against the objectives and interest of the Association.

8. Removal by general body of members.

Section 3.08 Filling up of Vacancy

1. The EC may co-opt a member of the Association to fill the vacant position.
2. Backup role members of the EC shall assume the vacant position in addition to his/her principal position in the absence of the principal office bearer.

Section 3.09 Quorum

The majority membership of the EC shall constitute a quorum for the meeting.

Section 3.10 Standing Committees

The Executive Council may form the following standing committees or any other committee from time to time as it deems necessary.

1. Membership Committee
2. Budget and Finance Committee
3. Public Relations Committee
4. Cultural Activities Committee
5. Arbitration Committee
6. Election Commission
7. School Management Committee

(i) Standing Committee Rules

1. A member of the EC shall chair the standing committee unless and otherwise decided by the EC prior to the formation of the Committee.
2. The EC shall lay down the terms and reference for the standing committee.
3. The committee recommendations shall be subject to the approval of the EC before final action is taken.

Section 3.11 Powers and Responsibilities of the EC members

1. Implement resolutions passed in any meeting of the General Members Body.
2. Formulate necessary rules befitting the spirit of the constitution for smooth operation of the Association and such rules shall be subject to the approval of General Members Body.
3. The EC at all times shall comply with the rules and regulations of this constitution.
4. The activities of EC shall always be examined by the GM Body and are subject to the decision of GM Body.
5. The EC members shall attend and actively participate in the EC meeting.
6. The EC members shall accomplish other duties as assigned to them by the EC from time to time.
7. The EC members shall always uphold the interest of the Association and maintain integrity and unity of the Association.
8. The EC members shall go through an induction on ethics and constitution by-laws.
9. The EC members will select a member of SABCA to maintain and upgrade the SABCA website.
10. If the AGM appointed Election Commissioner or Assistant Election Commissioner is not available for any reason, the EC shall appoint them for the current term.

(a) Responsibilities of the Chairperson

1. The Chairperson shall be responsible for the efficient administration and all the activities of the Association.
2. The Chairperson shall be responsible to uphold the unity and integrity of the Association.
3. The Chairperson shall preside over all the meetings of the members except those which are stated otherwise in the constitution or which are decided otherwise in any meeting of the General Members Body.
4. The Chairperson shall be the custodian of Association's seal.
5. Chairperson shall act as a public officer of the Association.
6. Chairperson shall use casting vote in case of a tie in any meeting presided by him.
7. Chairperson shall liaise with the Federal Government, State Government, Local Government and Private Bodies to serve the interest of Bangladeshi community members living in SA.
8. Chairperson shall uphold the spirit of the constitution.

(b) Responsibilities of the Vice Chairperson

Vice Chairperson shall exercise all authorities and shall perform all duties granted to the Chairperson, when the Chairperson is absent or unable to perform his duties.

(c) Responsibilities of General Secretary

The responsibilities of General Secretary shall:

1. Keep records of all proceedings of the EC meetings and also of all General Meetings.
2. Keep appropriate records of membership of the Association.



3. Conduct and attend all correspondences on behalf of the Association.
4. Be a custodian of all documents, registers, papers, web pages, facebook pages and electronic documents.
5. Liaise the activities of standing committee if formed by the EC
6. Organize all meetings of the EC and General Members Body
7. Moderate email groups of the Association.
8. Publish minutes of all general meetings as stated in Article IV to the Association's group email address approved by their four weeks of the said meeting.



(d) Responsibilities of Assistant General Secretary

The main responsibilities of Assistant General Secretary are to assist The General Secretary as mentioned in clause 3.11 (C).

(e) Responsibilities of the Finance Secretary

1. Maintain records of all financial transactions of the Association, deposit such funds in a bank designated by the Executive Council.
2. Prepare budget for the fiscal period subject to the approval of the Executive Council.
3. Approve purchases and expenditure pursuant to the budget.
4. Pay bills approved for payment by the Executive Council.
5. Collect subscriptions, gifts, donations and grants and issue receipts for payment received.
6. Prepare and present an audited financial report of the Association at the Annual General Meeting.
7. Encourage the members and donors to make any kind of payment into the account number of SABCA.

(f) Responsibilities of the Cultural Affairs Secretary

The Secretary of Cultural Affairs shall organize and supervise cultural, religious and social activities of the Association.

(g) Responsibilities of the Assistant Cultural Affairs Secretary

The Assistant Secretary of Cultural Affairs shall assist Cultural affairs Secretary to organize and supervise cultural, religious and social activities of the Association as above.

(h) Responsibilities of the Public Relations Secretary

1. Promote the objectives and purposes of the Association to the outside world, conduct membership drives, organize and supervise all standing committees as approved by the Executive Council.
2. Maintain communication with the Australian High Commission and Australian Universities Agencies in Dhaka.
3. Maintain communication with the Bangladesh High Commission in Canberra.
4. Assist and mentor Student's Affairs Secretary in any business he/she requires some assistance.

(i) Responsibilities of the Student and Community Engagement Secretary

1. Assistance with accommodation, transport and other general information for new students.
2. Prepare frequently asked questions for the prospective Bangladeshi students who want to study in South Australia.
3. Assist new students getting along in Australian culture.
4. Carry out social welfare and charitable activities.
5. Work closely with the public relation secretary

(j) Responsibilities of Executive Members,

1. The responsibilities of Executive members are to assist EC members for executing any decision taken by EC.

(k) Responsibilities of Advisory Council Members

The Advisory Council members are to advise to the Executive Council Members (Management Committee) whenever they required and attend in any important meeting when requested by EC.

Section 3.12 The Seal

1. The Association shall have a common seal upon which its corporate name shall appear in legible characters.
2. The seal shall not be used without the expressed authorization of the Executive Council, and every use of the seal shall be recorded in the minute book of the Association. Two office bearers of the EC shall witness the affixing of the seal, one of them shall be either General Secretary or the Chairperson.

Article IV. GENERAL MEETINGS

1. General Members Body (GMB) shall refer to all the members of three categories described in Section 2.01. General Members Body shall exercise its authority through General Meeting of any category.
2. The GMB has the supreme power of the Association. Any decision taken in the GMB cannot be scrutinized and overturn

by EC or any other lower bodies.

3. Any decision taken in the EC or other committee formed by the EC must be placed to GMB through GM meeting by the EC for its final approval. The GMB has the supreme power to approve or amend or overturn the decision.
4. General Meeting is open to all categories of the members. Members of all categories are entitled to participate in the discussion following the protocol of the meeting.
5. The GM shall be held at a place convenient to all the members of the Association.
6. There are three categories of general meeting: Annual General Meeting (AGM), Special General Meeting (SGM) and Emergency General Meeting (EGM).



Section 4.01 Annual General Meeting

1. The AGM shall be held in June every year at a time convenient to the majority of the members of the Association.
2. Notice of the AGM shall be mailed not less than two weeks prior to the scheduled meeting.
3. The first general meeting shall be held within one year after the incorporation of the Association.
4. The quorum for the AGM shall be 31% of the Full Members.
5. The order of the business of the AGM shall be:
 1. Confirmation of the minutes of the previous AGM and of any other type of General Meeting held since that meeting.
 2. Consideration of the resolution or decision taken by the EC or other committee formed by the EC.
 3. Consideration of the accounts and reports of the committee and the Auditor's report
 4. Election of EC members at alternate AGM for two years (one term)
 5. Appointment of Auditor, Election Commissioner and Assistant Election Commissioner at alternate AGM for two years.

Section 4.02 Emergency Special General Meeting

1. An Emergency Special General Meeting can be called by the majority of the EC members on a single agenda (with the exception of no confidence motion) on a 48 hours notice.
2. The quorum for the EGM shall be 60% of the Full Member.

Section 4.03 Special General Meeting

1. Special meeting of the membership may be called at any time by the Chairperson of the Association or by the majority members of the EC or by written petition to the General Secretary by at least twenty five percent of the members in good standing.
2. Special meeting may be called within two weeks after receipt of the written request, provided, however, that no special meeting, may be called unless the specific purpose(s) for holding said meeting are communicated to the General Secretary along with request for the special meeting.
3. Notice of the special meetings shall be communicated to the General Members no less than one week prior to the scheduled meetings. In the case of a special resolution, twenty-one days written notice shall be given to all members of the association. Notice of special meetings shall contain a statement of purpose(s) of the meeting and no other business shall be transacted which does not pertain to such stated purpose(s).
4. The quorum for the SGM shall be 60% of the Full Members.

Section 4.04 Vote of No Confidence and Expulsion of a Member

1. A motion of no-confidence against the EC or any of its members can be moved at General Meeting of any categories provided 60% Full Member are present. A two-third majority vote of the Full Members present shall be required to pass the motion.
2. A motion of expulsion of a member can be moved (provided all the procedures stated in Section 2.05 are complied) at General Meeting of any categories provided 60% Full Members are present. A two-third majority vote of the Full Members present shall be required to pass the motion.
3. The majority of the Full Members present in that meeting shall determine the Chairperson of the General Meeting.
4. Excepting the motion of no confidence and the motion for expulsion of a member, any other issue can be settled on simple majority vote.

Article V. APPOINTMENT OF AUDITOR

1. At each alternate AGM, the Full Members shall appoint a person to be Auditor of the Association.
2. The Auditor shall hold office until the alternate AGM (for two years) and is eligible for reappointment.
3. If the position of an auditor is not filled in the AGM for any unforeseen reason, the EC shall appoint an auditor for the current term.
4. If the appointed Auditor is not available for any reason, the EC shall appoint an auditor for the current term.
5. To ensure fairness, transparency and the smooth functioning of SABCA's activities, the Executive Committee (EC) reserves the right to:
 - (a) Cancel the appointment of an auditor on the ground of failure to submit the auditing report on time or breaking confidentiality or spreading false information.
 - (b) Appoint an auditor for any period during the term of the EC.

Article VI. Bylaws

Section 6.01 Election Procedure

1. An Election Commissioner and Assistant Election Commissioner shall be appointed by the alternate members of the Executive Council.
2. Nomination shall close one week prior to the date of Election.
3. A list of nominations shall be announced within three days after the closing of the nomination.
4. A candidate may officially withdraw from election by presenting a written notice to the Election Commissioner at least two days prior to the election.
5. The Election Commissioner shall obtain a final list of eligible voters from the General Secretary prior to the date of election.
6. The Election Commissioner shall set up a polling booth at the location of the Annual General Meeting placed on the election day and shall maintain the said booth for a reasonable length of time (1 hour) so that all registered voters may have an opportunity to cast their ballots.
7. Eligible members shall cast votes in person by secret ballot.
8. The election Commissioner shall outline a proxy voting procedure so that an absent eligible voter can delegate his or her voting power only to a family member who is also an eligible voter and able to physically cast vote. An absent voter who cast his or her vote through 'proxy voting procedure' will be counted equivalent to 'present' for determining the quorum of the meeting.
9. The Election Commissioner shall carry out counting of ballots and declarations of winners immediately after closing of the polls. The Election Commissioner shall also post the result of the Election to the Association's group email address.
10. If no nomination is received by the due date, members present in the Annual General Meeting shall elect the Executive Council members by voice votes.
11. All SABCA members must honor and accept the election results declared by the honorable Election Commissioner of SABCA.



Section 6.02 Audit Procedure

1. The Finance Secretary shall prepare the Finance report by the 7th of June of each year and shall hand over all the necessary documents to the Auditor along with the Finance report.
2. The Auditor shall complete its audit on or before the 15th of June each year.

Section 6.03 Cultural Events and Entertainment Management

1. The Cultural Secretary along with the Executive Council and other members of the Association may organize any social or cultural events deemed befitting with Bangladeshi culture.
2. The Executive Council may distribute costs of such events among all the members of the Association on a non-profit basis unless and otherwise planned for a fund raising activity.

Section 6.04 Arbitration

1. The Executive Council shall listen to all the parties in case of any dispute brought into its attention.
2. The Executive Council shall not disclose such dispute to other members of the Association.
3. The Executive Council shall organize reconciliation meeting in its earliest possible convenience or shall appoint an Arbitration Committee comprising of senior members of the Association acceptable to both disputing parties.
4. The Executive Council or its appointed Arbitration Committee shall exert its best effort to reconcile any differences among the members in its earliest possible convenience.

Section 6.05 Membership Application Rejection Criteria

The Bangladesh Community Association Executive Council and the Membership Committee reserves the exclusive right to reject any membership application on the following grounds:

1. The applicant is convicted in last 5 years and sentenced to one or more than a year in prison and not pardoned.
2. The applicant failed to satisfy the eligibility criteria set in section 2.01
3. The applicant failed to submit the duly signed completed application form with relevant documents.
4. The applicant does not live in South Australia or the application form / documents contain untrue information.

Section 6.06 Inspection of Books

The records, books, documents and accounts of the Association shall be open for inspection by any member of the Association upon a written application to the General Secretary or the Finance Secretary provided the associated cost is paid by the applicant and the Australian Privacy Rules are not violated. Any dispute on this issue shall be resolved by the majority vote of EC members.

Section 6.07 Finance Management

1. The overall responsibility for managing the funds of the Association shall lie on the Finance Secretary
2. All funds excepting a petty cash not exceeding \$500 of the Association shall be kept in the name of the Association in a bank approved by the EC.
3. Retain receipts of any expenses for a minimum of two years.
4. The bank transaction for the Association shall be made with the signatures of any two of the following:
Bearers of EC whose signatures will be forwarded to the designated bank along with the minutes of the meeting.
 1. Chairperson
 2. General Secretary
 3. Finance Secretary



Section 6.08 Amendments and Alterations of the Constitution

A proposal to amend or alter the constitution shall be submitted to the General Secretary. The General Secretary shall place the proposal to the EC. If the EC passed the proposal, then the General Secretary shall (i) notify the members at least 21 days prior to the General Meeting and (ii) place the proposal to the General Meeting for consideration to approve. Two-thirds majority vote of the Full Members present in the meeting shall be required to amend or alter the constitution of the Association.

Section 6.09 Notes for the Applicant for Membership

1. The applicant for membership shall receive a copy of the constitution and shall read the constitution prior to submission of the application.
2. All the members shall abide by the rules of the constitution.
3. The Association shall not take any liability or responsibility for any type of accident resulting injury of any nature to the members or guests while performing the duties of Association or attending the functions or gathering of the Association.
4. No member shall receive remuneration in any form for his or her services to the Association.
5. A member shall always uphold the honour and integrity of the Association and shall avoid making any adverse comments about the Association or its members.

Article VII. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The income and capital of the association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the association

Article VIII. WINDING UP

1. The association may be wound up in the manner provided for in the Act
2. The Association shall dissolve if 90% of Full Members decide to do so by signing on such a decision in a SGM held on this single agenda.

Article IX. APPLICATION OF SURPLUS ASSETS

1. If after the winding up of the association there remains "surplus assets" as defined in the Act, such surplus assets shall be distributed to any organization which has similar objects and has rules which prohibit the distribution of its assets and income to its members.
2. Such organization or organizations shall be identified and determined by a resolution of full members in general meeting.
3. The association may determine to distribute surplus assets to charities nominated by a resolution of full members in general meeting.

Article X. REGISTERED AND ADMINISTRATIVE OFFICE

The Registered and Administrative Office of the Association shall be situated at 37 Norseman Avenue, Hillcrest, SA 5086 or otherwise decided in the AGM.

Article XI. POWERS OF THE ASSOCIATION

Solely for furthering the objects, the association has, in addition to the rights, powers and privileges conferred on it under section 25 of the Act to:

- (a) Acquire, hold, deal with, and dispose of, any real or personal property; and
- (b) administer any property on trust; and
- (c) open and operate ADI accounts; and
- (d) invest its moneys---
 - (i) in any security in which trust moneys may, by act of Parliament, be invested; or

- (ii) in any other manner authorized by the rules of the association; and
- (e) borrow money upon such terms and conditions as the association thinks fit; and
- (f) give such security for the discharge of liabilities incurred by the association as the association thinks fit; and
- (g) appoint agents to transact any business of the association on its behalf; and
- (h) enter into any other contract it considers necessary or desirable.



Article XII. MANAGING BANGLADESHI COMMUNITY SCHOOL

1. The EC of SABCA shall appoint the principal and the vice principal of BCS.
2. The EC shall elect the members of Management Committee of BCS headed by the principal for a period of maximum two years matching with the tenure of the EC.
3. On the alternate AGM, the CP of the SABCA shall declare dissolution of the position of principal, vice principal and the School Management Committee for paving the way to appoint new principal, vice principal and to elect the new School Management Committee by new EC. However, the outgoing principal, vice principal and the Management Committee shall continue to function till the handover to the new principal, vice principal and the Management Committee occurs.
4. The principal shall consult with the CP of SABCA when appointing teachers and observing any day of significance. Any disagreement between the principal and the CP of SABCA shall be resolved by the majority decision of the EC of SABCA.
5. As an organ of SABCA, the BCS shall work to achieve the objectives of SABCA set in section 1.04.
6. The SABCA and the BCS shall work cooperatively to achieve the objectives of SABCA set in section 1.04.
7. The School Management Committee shall take initiative to resolve any grievance or any untoward issue. The matter can also be referred to the EC of SABCA for resolving the issue.
8. The responsibility for managing the administration and funds of BCS shall lie on the principal, vice principal and the school Management Committee.
9. The principal, vice principal and the School Management Committee shall adhere any policy of government or educational bodies if it does not contradict or undermine the SABCA constitution.
10. The EC of SABCA reserves the right to take any befitting decision for good governance of BCS to achieve the objectives of SABCA.

This is the annexure marked ‘A’ referred to in the statutory declaration of

.....

Made on theday of2018

Before me:

Justice of Peace

----- End of South Australian Bangladeshi Community Association Constitution -----