

**GUJARATI ASSOCIATION**  
**Registered Charity No: 700625**

**Constitution**

**1. NAME**

The name of the organisation shall be the Gujarati Association, Wolverhampton.

Address: The Gujarati Centre, Mander Street, Pennfields, Wolverhampton, West Midlands, WV3 OJZ.

Language: The official language of the Association shall be Gujarati but English shall be used as and when necessary.

**2. AREA OF BENEFIT**

The area of benefit shall be co-terminus with the city of Wolverhampton and surrounding areas, hereinafter called "The Area" and from time to time, elsewhere as deemed appropriate.

**3. OBJECTS**

The objects of the Association are:

(a) To promote the benefit of the residents of the area particularly but not exclusively members of the Hindu Gujarati community by the advancement of education, the relief of poverty and sickness, the preservation and protection of good health and the provision of facilities for recreation and other leisure-time occupation in the interests of social welfare and with the object of improving the condition of life of the said community.

(b) To relieve "beneficiaries" who are in conditions of need by such means as thought fit including help and assistance for the aged, the provision for the unemployed of information and advice about job opportunities and assistance for training and mobility, and the provision for beneficiaries for an advice and information service dealing with questions of welfare rights, housing, immigration and similar problems.

(c) To promote unity and racial harmony within the different communities in Wolverhampton by any charitable means that the trustees may from time to time think fit.

(d) To advance the Hindu religion

(e) To establish a centre and to maintain and manage such a centre for activities promoted by the Association in furtherance of the above objects.

#### 4. POWERS

In furtherance of the above purposes but not further or otherwise The Association may:

1) Employ and pay any person or persons, provided they are not trustees of the Association, to supervise, organise and carry on the work of the Association and make all reasonable and necessary provision for the payment of pensions and superannuation to or on behalf of employees and their widows and other dependants.

2) Collect and disseminate information on any matters affecting the said objects and exchange such information with other bodies having similar objects whether in this country or overseas.

3) Purchase, take on lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary for the promotion of the said objects and construct, maintain and alter any buildings or erections necessary for the work of the Association.

4) Make regulations for any property that may be so acquired.

5) Subject to such consents as may be required by law, sell, let, mortgage, dispose of or turn to account all or any of the property or assets of the Association.

6) Subject to such consents as may be required by law, borrow or raise money for the said objects and accept gifts on such terms and on such security as may be deemed necessary.

7) Raise funds and invite and receive contributions from any person or persons whatsoever by way of subscriptions and otherwise PROVIDED THAT the Association shall not undertake permanent trading activities in raising funds for the said objects.

8) Invest the moneys of the Association not immediately required for the said objects in or upon such investments, securities or property as may be thought

fit, subject nevertheless to such conditions (if any) as may be imposed or required by law.

9) Do all such other lawful things as are necessary for the attainment of the said objects.

## 5. MEMBERSHIP

(a) Full membership can be attained by either becoming a Life, Annual or Honourary member. Full members will benefit from various discounts for GA services and also voting rights during Association meetings. Full Membership of the Association shall be open to:

i) Individuals of 18 years or over who do not act adversely to the progress of the Association financially or in any other way.

ii) National, international and local voluntary or other non-profit distributing organisations, whether corporate or unincorporated, who are interested in furthering the said work and have paid the annual subscription as aforesaid.

(b) Each member organisation shall appoint one individual person to represent it and vote on its behalf at general Meetings of the Association. In the event of such individual person resigning or otherwise leaving an organisation, he or she shall forthwith cease to be a representative thereof.

(c) Each member organisation may appoint:

i) A deputy to replace its appointed representative if the latter is unable to attend any particular meeting of the Association, and

ii) Observers (who shall not be entitled to vote) to attend such meeting.

(d) Junior membership shall be open to those under the age of 18 years who are interested in furthering the work of the Association. Junior members shall not be entitled to vote.

(e) Honorary life members may be appointed at the discretion of the Management Committee.

(f) The said Management Committee shall have the right:

i) To approve or reject applications for membership, and

ii) For good and sufficient reason to terminate the membership of any individual or organisation PROVIDED THAT the individual member concerned or the individual representing such organisation (as the

case may be) shall have the right to be heard by the said Management Committee before a final decision is made.

(g) Annual, Life or Honorary Members will be entitled to vote at Association Meetings providing they became a member 3 months prior to the meeting.

(h) Annual membership will expire on the anniversary of their registration date

## 6. HONORARY OFFICERS

(a) At the Annual General Meeting the Association shall elect a Chair, A Vice-Chair, a Treasurer, an Assistant Treasurer, an Internal Auditor, a Secretary, an Assistant Secretary and such other Honorary Officers as the Association shall from time to time decide.

(b) The Chair and the Honorary Officers of the Association shall hold office until the conclusion of the Annual General Meeting of the Association next after their election.

(c) The Association shall appoint one or more qualified auditors and may determine their remuneration (if any).

## 7. MANAGEMENT COMMITTEE

(a) The general management of the affairs of the Association shall be directed by a Management Committee (hereinafter called "the Committee") which shall meet not less than 8 times a year and when complete shall consist of not less than 10 and not more than 15 members of the Association in addition to the Honorary Officers - and shall include representatives of funding bodies where this is a condition of grant aid.

(b) The members of the Committee shall be elected at the Annual General Meeting of the Association.

(c) Election to the Committee shall be for 1 year.

(d) In addition to the members so elected and to those serving by virtue of Clause 6(a) the committee may co-opt up to 5 further members who shall serve until the conclusion of the next Annual General Meeting after individual co-option. Co-opted members shall be entitled to vote at meetings of the Committee.

(e) Any casual vacancy in the Committee may be filled by the Committee and any person appointed to fill such a casual vacancy shall hold office until the

conclusion of the next Annual General Meeting of the Association and shall be eligible for election at that meeting.

(f) The proceedings of the Committee shall not be invalidated by any failure to elect or any defect in the election, appointment, co-option or qualification of any member.

(g) The Committee shall appoint and fix the remuneration of paid employees (not being members of the Committee) as may in their opinion be necessary.

(h) The Committee may appoint sub-committees as may be deemed necessary by the Committee and shall determine their terms of reference, powers, duration and composition. All acts and proceedings of such sub-committees shall be reported back to the Committee as soon as possible.

## 8. MEETINGS OF THE ASSOCIATION

(a) The Annual General Meeting of the Association shall be held in July of each year or within 15 months of the preceding Annual General Meeting at such time and place as the Committee shall determine. At least 21 days clear notice shall be given in writing by the Secretary to each member. At such Annual General Meeting the business shall include the election of the Honorary Officers; the election of full members to serve on the Committee; the appointment of an auditor or auditors; the consideration of an annual report of the work done by or under the auspices of the Committee and of the audited accounts; and the transaction of such other matters as may from time to time be necessary.

(b) The Chair of the Committee may at any time at his/her discretion and the Secretary shall within 21 days of receiving a written request to do so, signed by not less than one third of the membership whether individual or representative, and giving reasons for the request, call a special General Meeting of the Association. At least 21 days clear notice shall be given in writing by the Secretary to each member.

## 9. NOMINATIONS OF HONORARY MEMBERS AND COMMITTEE MEMBERS

(a) Only full members of the Association whether individual or representative shall be eligible to serve as Honorary Officers or the Association's elected members of the Committee.

(b) The candidate for the position of Chair must have served for at least one year as a member of the Committee immediately prior to being nominated as Chair.

## 10. RULES OF PROCEDURE AT ALL MEETINGS

### (a) Quorum

i) The quorum at a meeting of the Association shall be one tenth of the membership of the Association or ten members who are entitled to vote, whichever is the greater.

ii) If a quorum is not met at the Association meeting, then there will be a delay a further 30 minutes to allow members to arrive. If 30 minutes pass and there still is no quorum then the meeting shall commence on the approval of those members present.

iii) The quorum at a meeting of the Committee or any sub-committee appointed under Clause 7(h) shall be one third of the membership of the Committee or sub-committee.

### (b) Voting

i) Save as otherwise provided, all questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote. No person shall exercise more than one vote notwithstanding that he or she may have been appointed to represent two or more interests, but in case of an equality of votes the Chair of the meeting shall have a second or casting vote.

ii) Three tellers will be elected at the Annual General Meeting to observe the closed ballot election if more than one candidate is nominated for an office bearer's post or more than 15 Committee members are nominated.

### (c) Minutes

Minutes shall be kept by the Committee and all other sub-committees, and the appropriate secretary shall maintain a record of all proceedings and resolutions.

(d) Standing Orders and Codes of Practice. The Committee shall have the power to adopt and issue Standing Orders and/or Codes of Practice for the Association. Such Standing Orders and/or Codes of Practice shall come into operation immediately PROVIDED ALWAYS THAT they shall be subject to review by the Association in General Meeting and shall not be inconsistent with the provision of this Constitution.

## 11. FINANCE

(a) The financial year will be from 1 April to 31 March.

(b) All moneys raised by or on behalf of the Association shall be applied to further the objects of the Association and for no other purpose PROVIDED THAT nothing herein contained shall prevent the payment in good faith of

reasonable and proper remuneration to any employee of the Association or repayment to members of the Committee or of any sub-committee appointed under Clause 7(h) hereof of reasonable out of pocket expenses.

(c) Decisions concerning lending/borrowing of money to mortgage, to buy or to give charge of property will only be made by a General Meeting of the Association.

(d) The Treasurer shall keep proper accounts of the finances of the Association.

(e) The accounts shall be audited at least once a year by the external auditor or auditors appointed by the Committee.

(f) An audited statement of the accounts for the last financial year shall be submitted by the Committee to the Annual General Meeting for approval.

(g) All Bank and Building Society accounts shall be opened in the name of the Association with a Bank or Building Society as the Committee shall from time to time decide. The Committee shall authorise in writing the Treasurer, the Chair, the Vice-Chair and the Secretary of the Association to sign cheques on behalf of the Association. All cheques must be signed by not less than two of the authorised signatories, one of whom should be the Treasurer. In the absence of the Treasurer for more than 21 days the Committee shall authorise the Assistant Treasurer to sign cheques.

## 12. TRUST PROPERTY

The title to all real or personal property which may be acquired by or on behalf of the Association shall be vested in a corporation lawfully entitled to act as Custodian Trustees consisting of not less than 3 or more than 5 individual persons (not being members of the Committee) to be elected at the first Annual General Meeting for a period of five years and every five years thereafter.

## 13. ALTERATIONS TO THE CONSTITUTION

Any alteration of this Constitution shall require the assent of not less than two-thirds of the members, whether individual or representative, present and entitled to vote at a General meeting called specially for the purpose PROVIDED THAT notice of any such alteration shall have been received by the Secretary in writing not less than 28 clear days before the meeting at which the alteration is to be proposed. At least 21 clear days' notice in writing of such a meeting setting forth the terms of the alteration, shall be sent by the Secretary to each member of the Association PROVIDED THAT no alteration shall be made to clauses 3, 4, 11, 12, 13 or 14 of this Constitution without

prior approval of the Charity Commission or which would have the effect of causing the Association to cease to be a charity at law.

## 14. DISSOLUTION

If the Committee by a simple majority decide at any time that on the ground of expense or otherwise it is necessary or advisable to dissolve the Association, it shall call a meeting of all members of the Association who have the power to vote, of which meeting not less than 21 days' notice (stating the terms of the Resolution to be proposed thereat) shall be given. If such decision shall be confirmed by a simple (two thirds) majority of those present and voting at such a meeting, the Committee shall have the power to dispose of any assets held by or on behalf of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Association as the Committee may determine.

## 15. NOTICES

Any notice may be served by the Secretary on any member or organisation either personally or on the appointed representative as the case may be, or by sending it in the post in a pre-paid letter addressed to each member or organisation at his/her or its last known address in the United Kingdom, and the any letter so sent shall be deemed to have been received within ten days of posting.

## 16. INTERPRETATION

For the interpretation of this Constitution, the Interpretation Act, 1978, shall apply as it applies for the interpretation of an Act of Parliament