

# BSQ- BENGALI SOCIETY OF QLD CONSTITUTION

Established: 1998

**Amendments made: May 2024**

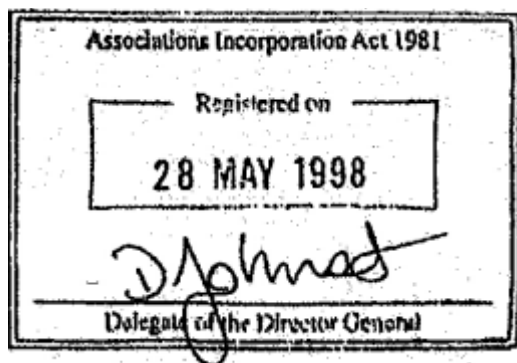
## OWN RULES

### **1. Name**

- 1) The name of the incorporated association shall be "BENGALI SOCIETY OF QUEENSLAND Inc."

### **2. OBJECTS**

1. The objectives for which the association is established are promoting and orchestrating
  - a. Socio-cultural events mainly from West Bengal
  - b. Religious functions
  - c. Educational activities
  - d. Charitable activities
  - e. Relief operations and
  - f. any other community activities that are decided by the executive committee from time to time.



### **3. POWERS**

- 1) The association has, in the exercise of its affairs all the powers of an individual
- 2) The association may, for example –
  - a) Enter contracts; and
  - b) Acquire, hold, deal with, and dispose of property, and assets (A separate position within the EC may be assigned with specific tasks of working with government bodies & private organisations for funds or available land for the association)
  - c) Make charges for services and facilities it supplies; and
  - d) Do other things necessary or convenient to be done in carrying out its affairs including taking part in sociocultural events in broader communities

### **4. CLASSES OF MEMBERSHIP**

- 1) The membership of the association shall consist of ordinary members.
- 2) New members, who identify as “Bengalis” are eligible to join the association however they will need to be proposed by at least one existing member and seconded by another existing member of the association.
- 3) The application for new membership shall be made in writing, signed by the applicant and the applicant's proposer and a seconder and shall be in such form as the executive committee from time to time prescribes.
- 4) Applications may be made by email and any other online means. If online applications are made, the message must be addressed to the association and copying both the proposer and the seconder, the proposer and seconder are then required to send separate messages with their endorsement to the association satisfying the condition of entry.
- 5) The number of ordinary members shall be unlimited.
- 6) Once a member joins the association, by default, they are bound to adhere to all rules and regulations set in the constitution of the association

### **5. CLASSES OF MEMBERSHIP Extended (Patrons)**

- 7) The association may have up to 4 patrons who have demonstrated active engagement with the association for at least 20 consecutive years and have actively served in the community and worked towards the betterment of the association. The maximum term for patronship must be 6 years depending on their level of involvement with the association. Any patron of the club will be such a person -
  - a) who is an active member of the association currently and has maintained a paid membership for 10 or more years
  - b) whose primary place of residence is Brisbane, Queensland
  - c) has a high reputation in the business or corporate world,
  - d) maintains high standards/position in the society,
  - e) may have political influence at local council, state level or higher
  - f) makes a lumpsum donation of minimum \$5,000 AUD to the association at the time of appointment
- 8) Appointment of patrons
  - a) Expression of interest may be made to the executive committee in writing or sending an email
  - b) Current patrons may be re-appointed for new terms after their maximum term if they again fulfill eligibility criteria and make the minimum donation

- c) The executive committee must discuss the application for patronship with general members and all other existing patrons, carefully verify the applicant's eligibility criteria and shall formally appoint the patrons during the annual general meeting.
- 9) Duties of patrons
- 1) Patrons must act as an advisory committee for matters that get escalated by the executive committee throughout the term or during AGMs

#### **6. MEMBERSHIP FEES**

- 1) The annual membership fee for each class of membership shall be determined by the executive committee and is payable at the end of Australian financial year ending on 30<sup>th</sup> June every year.
- 2) New members joining after 1 Jan shall only be required to pay half the membership fee for the year and full membership fee for subsequent years.
- 3) New members joining the association between 1-Jul to 31-Dec shall pay the full membership fee.

#### **7. ADMISSION AND REJECTION OF MEMBERS**

- 1) At the next meeting of the executive committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the executive committee, who shall thereupon determine upon the admission or rejection of the applicant.
- 2) Any applicant who receives a majority of the votes of the members of the executive committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- 3) Upon the acceptance or rejection of an application for any class of membership the secretary shall forthwith give the applicant notice in writing of such acceptance or rejection. New members shall be included in the email circulation list and be part of the BSQ Facebook or other social media platforms.

#### **8. TERMINATION OF MEMBERSHIP**

- 1) A member may resign from the association at any time by giving notice in writing to the Secretary.
- 2) Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.
- 3) The executive committee may terminate a member's membership if the member –
  - a) is convicted of an indictable offence; or
  - b) fails to comply with any of the provisions of these rules; or
  - c) has membership fees in arrears for a period of 4 months or more for their current membership; or
  - d) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the association.
- 4) The member concerned shall be given a full and fair opportunity of presenting the member's case and if the executive committee resolves to terminate the membership it shall instruct the secretary to advise the member in writing accordingly.

#### **9. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

- 1) A person whose application for membership has been rejected or whose membership has been terminated may within 1 month of receiving written notification thereof, lodge with the

secretary written notice of the person's intention to appeal against the decision of the executive committee.

- 2) Upon receipt of a notification of intention to appeal against rejection or termination of membership the secretary shall convene, within 3 months of the date of receipt by the secretary of such notice, a general meeting to determine the appeal.
- 3) At any such meeting the applicant shall be given the opportunity to fully present the applicant's case and the executive committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case.
- 4) The appeal shall be determined by the vote of the members present at such meeting.
- 5) Where a person whose application is rejected, does not appeal against the decision of the executive committee within the time prescribed by these rules or so appeals but: the appeal is unsuccessful, the membership is deemed null and void and there shall be no refund of any already paid membership fee or any other donations to the association.

#### **10. REGISTER OF MEMBERS**

- 1) The executive committee shall cause a register (hard copy or in electronic format) to be kept in which shall be entered the names, residential addresses and contact details of all persons admitted to membership of the association and the dates of their admission. Members may choose to not enlist their personable identifiable/sensitive information if they wish to do so.
- 2) Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the executive committee of the members at any general meeting may require from time to time.
- 3) The register shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspection.

#### **11. Condition for Office bearer positions and executive committee members**

- 1) Minimum conditions for all office bearer position (applies for President, Vice President, General Secretary, Treasurer and Cultural Secretary)
  - a) must be a resident of Brisbane or Greater Brisbane region in Queensland
  - b) must be a current member of the association
  - c) must be a continuous past member of the association for at least 5 years (exceptions may be made to this rule if need arises)
  - d) If a vacancy occurs in the executive committee, the members of the executive committee must appoint or elect for the vacancy within 1 month after the vacancy happens.
  - e) all office bearer positions must follow the same appointment process
- 2) Special conditions for General Secretary
  - a) the General secretary must be a member of the association elected by the association as General secretary, or
  - b) a member of the association's executive committee appointed by the executive committee as General secretary
  - c) must have demonstrated active engagement with the association for at least 5 last years
  - d) the executive committee may appoint and remove the secretary at any time
- 3) Special conditions for President

- a) must have demonstrated active engagement with the association for at least 5 last years
  - b) must have served as an executive committee member of the association for a minimum of 2 consecutive or non-consecutive years in any position.
- 4) Rules about joining and working with other parallel Bengali associations
- a) Executive committee members do not have permission to participate in any activities organised by any parallel or alternative Indian Bengali group or be a part of their executive committee. Should an EC member wish to violate they must resign from the association's executive committee.
  - b) Any executive committee members of any other parallel or alternative Indian Bengali group must not be a part of BSQ's executive committee.

## **12. MEMBERSHIP OF EXECUTIVE COMMITTEE**

- 1) The executive committee of the association shall consist of a President, Vice President, General Secretary, Treasurer and a Cultural Secretary, at least 2 Youth representatives (Must be between 18-30 years old) and executive committee members of the association at any general meeting from time to time, elect or appoint by floating EOIs and following fair and equal opportunity for everyone with clear guidelines. The same process shall be adhered to for participating in cultural events, cooking/organising opportunities. Usual auditions maybe held for cultural events as necessary to ensure we maintain the best quality for our cultural events.
- 2) At the annual general meeting of the association, all the members of the executive committee shall retire from office after serving for 2 years in the executive committee.
- 3) If need arises, a re-election may occur at the AGM after 1 year of the continuing executive committee's term.
- 4) The election of officers and other members of the executive committee shall take place in the following manner –
  - a) any two ordinary members of the association shall be at liberty to nominate any other member to serve as an officer or other member of the executive committee. Nomination form is as given in ANNEXURE I
  - b) the nomination which shall be in writing and signed by the member and the member's proposer and seconder, shall be lodged with the secretary at least 14 days before the annual general meeting at which the election is to take place
  - c) a list of the candidates' names in alphabetical order, with the proposer's and seconder's names, shall be emailed to all members in addition to being posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately: preceding the annual general meeting.
  - d) balloting lists shall be prepared (if necessary) containing the names of the ... candidates in alphabetical order, and each member present at the annual: general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
  - e) should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
- 5) Even though the executive committee serves for 2 consecutive years, all other main procedures such as conducting the annual general meetings, closing the financial books etc must be done on yearly basis

### **13. RESIGNATION OR REMOVAL FROM OFFICE OF MEMBER OF EXECUTIVE COMMITTEE**

- 1) Any member of the executive committee may resign from membership of the executive committee at any time by giving notice in writing to the secretary but such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a general meeting of the association where that member shall be given the opportunity to fully present the member's case.
- 2) The question of removal shall be determined by the vote of the members present at such a general meeting.
- 3) There is no right of appeal against a member's removal from office under this section.

### **14. VACANCIES ON EXECUTIVE COMMITTEE**

- 1) The executive committee shall have power at any time to appoint any member of the association to fill any casual vacancy on the executive committee until the next annual general meeting. Such changes may not be announced as and when they happen and may only be communicated to all members in the upcoming regular communication such as a newsletter.
- 2) The continuing members of the executive committee may act notwithstanding any casual vacancy in the executive committee, but if and so long as their number is reduced below the number fixed by or pursuant to these rules as the necessary quorum of the executive committee, the continuing member of members may act for the purpose of increasing the number of members of the executive committee to that number or of summoning a general meeting of the association, but for no other purpose.

### **15. FUNCTIONS OF THE EXECUTIVE COMMITTEE**

- 1) Except as otherwise provided by these rules and subject to resolutions of the members of the association carried at any general meeting the executive committee –
  - a) shall have the general control and management of the administration or the affairs, property, and funds of the association; and
  - b) shall have authority to interpret the meaning of these rules and any matter relating to the association on which these rules are silent.
- 2) The association must spend at least 5% of the association's earning or \$2000 (whichever is greater), towards local community's good. Example – Green initiatives, Providing food and shelter for the needy and homeless in Queensland etc.
- 3) The current executive committee may exercise all the powers of the association in consultation with all members using transparent communication –
  - a) to borrow or raise or secure the payment of money in such manner as the members of the association may think fit and secure the same or the payment or performance of any debt, liability. contract, guarantee, or other engagement incurred or to be entered into by the association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the association's property, both present and future, and to purchase, redeem or pay off any such securities.
- 4) To ensure continuity of the association, the outgoing executive committee must perform an official handover on the day of the AGM or within 15 days of AGM/appointment of new committee. The following particulars must be handed over to ensure the association's continuity of assets –
  - a) Usernames and Passwords for official Email, Website, and social media
  - b) Up-to-date Asset register, formally audited financial statement, raw income & expenses sheets

- c) Grant applications - In flight grant application details and the submissions for which funds are awaited
- d) Current Store details must be supplied. Keys must be handed over; the rent must be paid for at least one month from the AGM date. The store must be organised properly, and a photo of the properly organised store must be supplied to the new executive team
- e) Petty cash
- f) List of current sponsors and their contact details
- g) Details of the current postal address for the association
- h) Details of the current content's insurance for the assets of the association and an up-to-date public liability insurance
- i) AGM minutes, AGM attendees list and the Financial Statement must be handed over by the outgoing committee.
- j) The AGM minutes and the financial statement must be submitted to the office of fair trading within 3 months of the AGM by the incoming committee
- k) No historical data (emails, correspondence, or documents) to be deleted by any committee. If any violation is found and proven, appropriate disciplinary action may be taken by executive committee and patrons.

#### **16. MEETINGS OF EXECUTIVE COMMITTEE**

- 1) The Executive Committee shall meet at least once every four calendar months either face to face or using audio/video teleconferencing to exercise its functions. The Executive committee may meet a greater number of times if the need arises.
- 2) The executive committee must decide how a meeting is to be called.
- 3) Notice of a meeting is to be given in the way decided by the executive committee.
- 4) A special meeting of the executive committee shall be convened by the secretary on the requisition in writing signed by not less than one-third of the members of the executive committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted there at.
- 5) At every meeting of the executive committee a simple majority of a number equal to the number of members elected and/or appointed to the executive committee as at the close of the last general meeting of the members, shall constitute a quorum.
- 6) Subject as previously provided in this section, the executive committee may meet and regulate its proceedings as it thinks fit.
- 7) However, questions arising at any meeting of the executive committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- 8) A member of the executive committee shall not vote in respect of any contract or proposed contract with the association in which the member is interested, or any matter arising thereout, and if the member does so vote the member's vote shall not be counted.



- 9) Not less than 14 days' notice shall be given by the secretary to members of the executive committee of any special meeting of the executive committee.
- 10) Such notice shall clearly state the nature of the business to be discussed thereat.
- 11) The president shall preside as chairperson at a very meeting of the executive committee, or if there is no president, or if at any meeting the president is not present within 10 minutes after the time appointed for holding the meeting, the vice-president shall be chairperson or if the vice-president is not present at the meeting, then the members may choose 1 of their number to be chairperson of the meeting.
- 12) if within half an hour from the time appointed for the commencement of an executive committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the executive committee, shall lapse.
- 13) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the executive committee may determine, and it at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.

#### **17. DELEGATION OF POWERS OF EXECUTIVE COMMITTEE**

- 1) The executive committee may delegate any of its powers to a subcommittee consisting of such members of the association as the executive committee thinks fit.
- 2) Any subcommittee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the executive committee.
- 3) A subcommittee may elect a chairperson of its meetings.
- 4) If no such chairperson is elected, or it at any meeting the chairperson is not present within 10 minutes after the time appointed for holding the meeting, the members present may choose 1 of their number to be chairperson of the meeting.
- 5) A subcommittee may meet and adjourn as it thinks proper.
- 6) Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed: to be decided in the negative.

#### **18. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS.**

All acts done by any meeting of the executive committee or of a subcommittee or by any person acting as a member of the executive committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the executive committee or person acting as aforesaid, or that the members of the executive committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the executive committee

#### **19. RESOLUTIONS OF EXECUTIVE COMMITTEE WITHOUT MEETING**

- 1) A resolution in writing signed by all the members of the executive committee for the time being entitled to receive notice of a meeting of the executive committee shall be as valid and effectual as if it had been passed at a meeting of the executive committee duly convened and held.
- 2) Any such resolution may consist of several documents. in like form, each signed by 1 or ""more-members of the executive committee

#### **20. FIRST GENERAL MEETING**

- 1) The executive committee must decide where the meeting is to be held.

- 2) The executive committee must meet within a week of getting access to the association's bank accounts to take stock of the situation and finances.

#### **21. FIRST ANNUAL GENERAL MEETING**

The first annual general meeting must be held within 18 months after the day the association is incorporated

#### **22. ANNUAL GENERAL MEETINGS**

- 1) Each annual general meeting must be held –
  - a) at least once each year, and
  - b) within 3 months after the end of the association's previous financial year.
- 2) The business to be transacted at the first general meeting must include the appointment of an auditor.

#### **23. BUSINESS TO BE TRANSACTED AT ANNUAL GENERAL MEETING**

- 1) The following business must be transacted at every annual general meeting –
  - a) the receiving of the statement of income and expenditure, assets, and liabilities and of mortgages, charges and securities affecting the property of the association for the last financial year:
  - b) the receiving of the auditor's report on the financial affairs of the association for the last financial year.
  - c) the presenting of the audited statement to the meeting for adoption.
  - d) the election of members of the executive committee.
  - e) let the appointment of an auditor.
  - f) Follow the formal handover process as detailed in the constitution
  - g) appointment of new patrons (if any)

#### **24. SPECIAL GENERAL MEETING**

- 1) The secretary shall convene a special general meeting by sending out notice of the meeting within 14 days of:
  - a) being directed to do so by the executive committee, or
  - b) being given a requisition in writing signed by not less than one-third of the members presently on the executive committee or not less than the number of ordinary members of the association which equals double the number of members presently on the executive committee plus one; ...
  - c) being given a notice in writing of an intention to appeal against the decision of the executive committee to reject an application for membership or to terminate the membership of any person.
- 2) A requisition mentioned in subsection (1) b) shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat.

#### **25. QUORUM AT GENERAL MEETING**

- 1) The quorum for a general meeting is at least the number of members elected or appointed to the association's executive committee at the close of the association's last general meeting plus 1.
- 2) No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business.
- 3) For the purposes of this rule –

\*member" includes a person attending as a proxy or as representing a corporation which is a member

- 4) It within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the executive committee or the association, shall lapse.
- 5) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the executive committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- 6) The chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 7) When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.
- 8) Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

## **26. NOTICE OF GENERAL MEETING**

- 1) The secretary shall convene all general meetings of the association by giving not less than 14 days' notice of any such meeting to the members of the association.
- 2) The manner by which such notice shall be given shall be determined by the executive committee. The means may include emails, phone calls or text messages.
- 3) However, notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the executive committee, shall be given in writing.
- 4) Notice of a general meeting shall clearly state the nature of the business to be discussed thereat

## **27. PROCEDURE AT GENERAL MEETING**

- 1) Unless otherwise provided by these rules, at every general meeting –
  - a) the president shall preside as chairperson, or if there is no president, or if the president is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the vice-president shall be the chairperson or if the vice-president is not present or is unwilling to act then the members present shall elect 1 of their number to be chairperson of the meeting; and
  - b) the chairperson shall maintain order and conduct the meeting in a proper and orderly manner; and
  - c) every question, matter or resolution shall be decided by a majority of votes of the members present; and
  - d) every member present shall be entitled to 1 vote and in the case of an equality of votes the chairperson shall have a second or casting vote; and
  - e) however, no member shall be entitled to vote at any general meeting if the member's annual subscription is more than 1 month in arrears at the date of the meeting, and
  - f) Voting shall be by a secret ballot; and
  - g) The chairperson shall appoint 2 members to conduct the secret ballot in such manner as the chairperson shall determine and the result of the ballot as declared by the

chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded: and

- h) a member may vote in person or by proxy or by attorney and in a secret ballot every member present in person or by proxy or by attorney or other duly authorised representative shall have 1 vote: and
- i) the instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointer or of the appointer's attorney duly authorised in writing or, if the appointer is a corporation, either under seal or under the hand of an officer or attorney duly authorised; and
- j) a proxy must be a member of the association (A standard proxy form must be defined in ANNEXURE II); and
- k) the instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot; and
- l) where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit –
- m) the instrument appointing a proxy shall be deposited with the secretary prior to the commencement of any meeting or adjourned meetings at which the person named in the instrument proposes to vote; and
- n) the secretary shall cause full and accurate minutes of all questions, matters, resolutions, and other proceedings of every executive committee meeting and
  - 1) general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the secretary for that inspection.
  - 2) For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every executive committee meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding executive committee meeting verifying their accuracy.
  - 3) Similarly, the minutes of every general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting.
  - 4) However, the minutes of any annual general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting or annual general meeting.
- o) Behaviour and conduct must be professional and respectful during meetings. Any misconduct may result in disqualification from the association. Meetings may be video, and audio recorded with prior notice and may be used as evidence for disciplinary actions.

## **28. BY-LAWS**

- 1) The executive committee may from time to time make, amend, or repeal by-laws, not inconsistent with these rules, for the internal management of the association and by-law may be set aside by a general meeting of members.

## **29. ALTERATION OF RULES**

- 1) Subject to the provisions of the Association Incorporation Act 1981, these rules may be a rescinded or added to from time to time by a special resolution carried at any general meeting by secret ballot.

- 2) However, an amendment, rescission or addition is valid only if it is registered by the chief executive.

### **30. COMMON SEAL**

- 1) The executive committee shall provide for a common seal and for its safe custody.
- 2) The common seal shall only be used by the authority of the executive committee and every instrument to which the seal is affixed shall be signed by a member of the executive committee and shall be countersigned by the secretary or by a second member of the management: committee or by some other person appointed by the executive committee for the purpose.

### **31. FUNDS AND ACCOUNTS**

- 1) The 'funds of the association must be kept in the name of the association in a financial, institution decided by the executive committee.
- 2) Proper books and accounts shall be kept and maintained either in written, printed or electronic form in English language correctly showing the financial affairs of the association and the particulars usually shown in books of a like nature.
- 3) All moneys shall be deposited as soon as practicable after receipt thereof.
- 4) All amounts of \$100 or over paid by electronic funds transfer must be authorised by at least 2 office bearer members of the executive committee such as president, secretary or treasurer.
- 5) Cheques shall be crossed "not negotiable except those in payment of wages, allowances or petty cash recoupments which may be open.
- 6) The executive committee shall determine the amount of petty cash that shall be held for managing day to day operations.
- 7) All expenditure shall be approved or ratified at an executive committee meeting.
- 8) As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing the particulars of –
  - a) the income and expenditure for the financial year just ended; and
  - b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the association at the close of that year.
- 9) The auditor must examine the statement prepared under subsection (8) and present a report on it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- 10) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

### **32. DOCUMENTS**

The executive committee shall provide for the safe custody of books, documents, Instruments, title, and securities of the association.

### **33. FINANCIAL YEAR**

The financial year of the association shall close on 31<sup>st</sup> March in each year. Any other current practices shall be discontinued.

#### **34. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

- 1) This section applies if the association is wound-up under Part 10 of the Act and there are surplus assets.
- 2) The surplus assets must not be distributed among the members but must be given to another entity -
  - a) that has objects like the association's objects; and
  - b) the rules of which prohibit the distribution of the entity's income and assets to its members.

#### **35. NON-PROFIT CLAUSE**

The assets and income of the organisation shall be applied solely in furtherance of its above-mentioned objectives and no portion shall be distributed directly or indirectly to the members of the organisation except for expenses incurred on behalf of the organisation,

#### **36. WINDING UP CLAUSE**

In the event of the organisation being dissolved, the amount which remains after each dissolution and the satisfaction of all debts and liabilities shall be transferred to charitable organisation here or overseas and which is exempt from income tax.

#### **37. AMALGAMATION CLAUSE**

Where it furthers the objects of the organisation to amalgamate with anyone or more other organisations having similar objectives, the other organisation must have rules prohibiting the distribution of its (their) assets and income to members and must be exempt from Income tax.

#### **38. Qualification and Code of Conduct of EC members**

- 1) All executive committee members should be responsible for the welfare and dignity of the association, maintenance of harmony amongst its members and strict observance of all members of the rules, regulations and procedures according to the constitution of the organisation.
- 2) Commitments and decisions must not be made on behalf of the future executive committee or the association.
- 3) Past incidents of misconduct on BSQ forum (e.g.: violent, aggressive, or threatening) could be deemed as factors for disqualification for future executive committee nominations.
- 4) All nominations may be scrutinized by the executive committee and the patrons if need arises, and the nomination may be rejected.

#### **39. Minimum eligibility criteria for executive committee members -**

- 1) A person is not eligible to be elected as a member of an incorporated association's executive committee if—
  - i) the person has been convicted of an offence—
  - ii) on indictment; or

- iii) summarily and sentenced to imprisonment, other than in default of payment of a fine; and the rehabilitation period in relation to the conviction has not expired.
- 2) Also, a person is not eligible to be elected as a member of an incorporated association's executive committee if—
- i) under the Bankruptcy Act 1966 (Cwlth) or the law of an external territory or another country, the person is an undischarged bankrupt; or
  - ii) the person has executed a deed of arrangement under the Bankruptcy Act 1966 (Cwlth), part X or a corresponding law of an external territory or another country and the terms of the deed have not been fully complied with; or
  - iii) the person's creditors have accepted a composition under the Bankruptcy Act 1966 (Cwlth), part X or a corresponding law of an external territory or another country and a final payment has not been made under the composition.

#### **40. Bereavement announcement procedure**

- 1) Rules about informing the association and then the association respectfully broadcasting the messages to the community members in relation to grievances.
- i) the procedure applies for the members of the association and their immediate family members.
  - ii) A member must inform the association in a written letter or via email and provide their clear consent to broadcast the grievance messages to all members of the association.
  - iii) The executive committee may then broadcast the message to all members using appropriate means such as a mass email or newsletters etc.

## Nomination form for EC members

I, ..... (name), member of Bengali Society of Queensland, residing at .....

.....  
(address), nominate ..... (name) for the position of ..... for the Executive Committee for the Year ..... I also confirm that I meet the minimum eligible criteria for joining the EC as per the constitution of BSQ.

*A person is not eligible to be elected as a member of an incorporated associations executive committee if–*

*iv) the person has been convicted of an offence–*

*v) on indictment; or*

*vi) summarily and sentenced to imprisonment, other than in default of payment of a fine; and the rehabilitation period in relation to the conviction has not expired.*

Signature .....

Date .....

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### Second endorsement

I, ..... (name), member of Bengali Society of Queensland, residing at .....

..... (address), second the aforementioned nomination.

Signature .....

Date .....

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**Proxy Form (Voting for EC)**

I, ..... (name), member of Bengali Society  
of Queensland, residing at .....

.....  
(address) am unable to physically attend the AGM on  
..... (dd/mm/yyyy).

This form authorises my proxy to .....  
(Name) of BSQ to vote on my behalf for the Executive  
Committee for Year ..... (yyyy-yyyy).

Signature (Appointee) .....

Date .....

Signature (Appointed).....

Date .....