

MAURITIAN MARATHI SOCIETY
CONSTITUTION
GOVERNING DOCUMENT



(1) Name:

1.1 The name of the organisation is the MAURITIAN MARATHI SOCIETY, hereinafter referred to as M.M.S.

(2) Aims and Objectives

The Society's objects are:

- 2.1 The advancement of the Mauritian Marathi religion
- 2.2 The advancement of the education of the public in the culture of Mauritius particularly but not exclusively by the performance of traditional dancing, singing, talks, dramas and other traditional Mauritian events.

RULES AND REGULATIONS

(3) Membership and Subscription

- 3.1 Any person aged 18 or over may apply for membership. On approval of the application by the Committee, the applicant will be enrolled as an ordinary member provided the appropriate subscription fee agreed by the committee is paid and the said member follows the policy of the constitution.
- 3.2 Subscription must be paid yearly unless decided otherwise by the committee.
- 3.3 Each full member on being admitted into membership shall be given a copy of the MMS constitution.
- 3.4 A register of members shall be available at any General Meeting.
- 3.5 Pensioners and students will be accepted at a reduced fee as agreed by the committee.
The said members will have **FULL** rights of participation unless students under 18 years of age who will only be associate members
- 3.6 **Any** paid member may, at any time, inspect the minutes and books of accounts of the MMS by prior arrangement in writing to the Committee/ treasurer.
- 3.7 Any person not sharing the Marathi culture may join the society at the discretion of the Committee provided they do not denigrate the religion in whatever way.
- 3.8 A child or children under the age of 18 of a paid member can be associate member or members without voting powers.

(4) Committee Members (Officers) of MMS

- 4.1 The officers of the Committee shall consist of any persons who have been nominated and seconded and have won the post via an elective process.
 - (a) It is important that any member who wishes to be considered as a Committee member must fully respect and appreciate the religious values and principles of Mauritian Marathi Hinduism. It is a vital aspect of the aims of the Society-(Clause 2.1).
- 4.2 The Committee shall consist of: Chairperson, Assistant Chairperson, Secretary, Asst. Secretary, Secretary, Treasurer, and Assistant Treasurer. Any other offices or sub-offices shall be filled by an election directed by full committee members.
- 4.3 **The** Committee shall appoint a permanent Religious/Cultural advisor. The main theme of the society being **predominantly** religious, he or she will be an Executive Committee member with all rights attached to that status.

- 4.4 The Committee shall comprise of not less than 7 officers who shall be elected by ballot at the Annual General Meeting.
- 4.5 All officers of the Committee shall retire annually at the Annual General Meeting of the MMS and may be eligible for re-election.
- 4.6 The Committee may set up sub-committees or working parties as and when required. Such sub-committees or working parties shall act within the terms as decided by the committee.
- 4.7 The Committee shall comply with their obligation under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to:
- (1) The keeping of accounting records for the Society
 - (2) The preparation of annual statements of account for the Society
 - (3) The auditing or independent examination of account for the Society.
 - (4) The transmission of the statements of account of the Society to the Charity Commission.
- 4.8 The Committee may suspend a member whose behaviour and/or conduct is likely to bring the MMS into disrepute. However that member will have the right to appeal against his/her condemnation in accordance with the society's rules on complaints and appeals procedure

(5) DUTIES OF OFFICE BEARERS.

CHAIRPERSON

- a) The Chairperson shall present a Chairperson's report at the monthly committee meeting and at the Annual General Meeting.
- b) In the absence of the Chairperson, the Vice-Chairperson shall exercise all the duties and authority of the Chairperson. In the absence of both the Chairperson and Vice-Chairperson, the committee shall appoint from amongst its executive members, on an ad-hoc basis only, a person to carry out the duties with the same authority as the Chairperson elect.

SECRETARY

- c) The Secretary shall prepare the minutes, attend to correspondence, and be responsible for general administration, custodian of all MMS papers and to ensure that all minutes are entered in the books kept for this purpose.
- d) The Secretary shall present a report to the monthly meeting and at the Annual General Meeting.
- e) In the absence of the Secretary, the Assistant Secretary shall exercise all duties and authority of the Secretary.
- f) In the absence of the Secretary and Assistant Secretary the committee shall appoint from the executive members, on a ad-hoc basis, a member to act as Secretary and that said member shall exercise all the duties and authority of the Secretary.
- g) Any committee member or any paid member of the Association shall have the right to examine any books or documents on demand in writing, the Secretary shall make such arrangements within reasonable time or at a fixed date to be determined by the committee.

TREASURER

- h) The Treasurer shall be empowered to keep a limited sum of money decided by the committee for incidental expenses incurred by executive members in the course of their duties. This will be accounted for at monthly meetings. Receipts of local purchases or other purchases must be kept and attached to the appropriate account books.

- l) The Treasurer shall receive all subscriptions and all other monies due to the MMS. The said officer will issue receipts for such monies, keep accounts in appropriate accounts ledger/ books. He/she will also deposit in a Bank/Building Society approved by the committee.
- j) The Treasurer shall be responsible for collecting and supplying information for the preparation of accounts. This must be done in accordance with the Data Protection Act 1998.
- k) The Treasurer shall be accountable to the Executive Committee members.
- l) The Treasurer shall present a financial report or statement of accounts at the monthly meeting.
- m) The Treasurer shall present an audited statement of account with his report to the Annual General Meeting. The Treasurer shall make all documents, invoices and books available to the appointed auditors for inspection at any time on demand.
- n) All the documents and property belonging to the MMS should be made available at the AGM by the respective office bearers for 'hand-over' to the newly elected office bearers.
- o) In the absence of the Treasurer the Assistant Treasurer shall exercise all the duties and authority of the Treasurer.
- p) The Committee members or any paid members of the Society shall have the right to examine any books or documents relating to finances of the MMS. The Treasurer shall make such arrangements possible within a reasonable delay or at a fixed date determined by the committee.

(6) ELECTION OF COMMITTEE MEMBERS

- 6.1 At the end of each Annual General Meeting, a committee will be elected. To be elected as a committee member the only stipulation placed is that a person must be a paid up member of the Society for at least six months continuously.
- 6.2 If the persons nominated to be committee members and willing to be nominated exceed eleven, then a ballot shall be taken at the Annual General Meeting. Each person eligible to vote (paid-up) members has one vote per vacancy but can only vote for one candidate for one vacancy; if eleven or fewer persons are nominated and willing to be committee members then they shall be elected to membership without a vote.
- 6.3 If fewer than eleven persons are elected to be members at the Annual General Meeting then further nominations can be taken at each subsequent committee meeting, until the vacancy/vacancies are filled. However each nomination must be approved by a vote. The method shall be adopted if a vacancy arises due to unforeseen circumstances in accordance with the Society's rules.

(7) TERMINATION OF COMMITTEE OFFICEj VOLUNTARY/INVOLUNTARY).

- 7.1 A committee member who is absent from three consecutive meetings without providing a valid reason or fails to make allowances for his/her absence shall cease to be a member of the committee. The Committee will consider any reasons given by an executive member in this case before and after an appeal.
- 7.2 A committee member can resign from office by sending a notice in writing of such intention to the secretary one month in advance.
- 7.3 A committee member may be removed from office by resolution of persons eligible to vote at a General Meeting. Such a vote may be taken only by a majority of members listed in the association. Such member has the right to appeal.

- 7.4 A committee member shall cease to hold office if he or she
- (1) is disqualified from acting as a member of the committee by virtue of Section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).
 - (2) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs.

(8) COMMITTEE MEMBERS NOT TO BE PERSONALLY INTERESTED

- 8.1 Subject to provision of sub-clause 7.2, no member of the committee shall acquire any interest in property belonging to the charity (otherwise than as a trustee for the charity) or receive remuneration or to be interested (otherwise than as a member of the committee) in any contract entered into by the committee.
- 8.2 Any member of the Executive Committee for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all the usual professional charges for business done by him or her or his or her firm when instructed by others of the committee to act in a professional capacity on behalf of the Charity. Provided that at no time shall a majority of the members of the Committee benefit under this provision and that a member of the committee shall withdraw from any meeting at which his or her own instruction or remuneration or that of his or her firm is under discussion.

(9) MEETINGS

- 9.1 Meetings of the committee will take place as required but not less than six times a year. At least two weeks notice of meetings must be given, together with agenda.
- 9.2 The Annual General Meeting of the MMS shall be held no later than the last day of November each year.
- 9.3 The main business of the Annual General Meeting shall be the election of the committee members, the nomination/appointment of an auditor to check the account or business of previous year and full report of the same to be submitted to the committee.
- 9.4 Notice of matters, which any member of MMS wishes to include in the agenda for any meeting, shall be given to the secretary not less than twenty-one days before the meeting.
- 9.5 Notice of all meetings giving date and place of the meeting and particulars of the nature of business to be transacted thereat shall be sent to all members by the secretary fourteen days in advance.
- 9.6 Special General Meetings may be called at any time by the MMS, 20% of signatures from paid members are required for an extraordinary meeting.
- 9.7 The committee shall not be able to operate if less than three of the elected executive officers attend a meeting, unless the total of executive officers has fallen below three, the committee may call a meeting to hold an election of new committee members.

(10) CHANGING THE RULES

- 10.1 Subject to the following provisions of this clause, the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.
- 10.2 No amendment may be made to Clause 1 .Clause 2, Clause 8 and clause 12 or this clause without prior consent in writing of the Commissioners.
- 10.3 No amendment may be made which would have the effect of making the Charity cease to be a charity by Law.
- 10.4 The Committee should promptly send to the Commission a copy of any amendment made under this

clause.

(11) MMS FUNDS

11.1 All money belonging to the MMS (funds) is paid into a separate account in the name of the MMS at a bank to be named by the Committee. Three appointed officers of the committee shall sign all cheques. At any given time there should be at least two of the appointed signatories on any cheque.

11.2 Money in the said separate bank account is used primarily for the purposes stated in paras 2.1 And 2.3. Officers of the Committee may receive expenses, which they may incur from their duties as members of the committee. The committee will assess their application for reimbursement in order to ensure that this system is not abused.

(12) WINDING UP

12.1 If the committee decides that it is necessary or advisable to dissolve the charity, it shall call a meeting of all members of the charity of which not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting, the committee shall have power to realise any assets held by or on behalf of the Charity. 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 similar objects to the objects of the Charity as the members of the Charity may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement for the final accounting period of the Charity must be sent to the Commissions.

This constitution is duly approved by the members this 15th day of October 2000

This constitution consists of 5 papers numbered 1 to 5, duly initiated by the present Chairperson and Secretary.

CHAIRPERSON



SECRETARY

