

INDIAN AUSTRALIAN ASSOCIATION OF SOUTH AUSTRALIA INC.

Brief History

The India Club of South Australia had its birth in 1967 when three Indian Families (the Joshua family, the Mazumdar family and the Nayak family) proposed the idea of the formation of an informal club for social interaction amongst the local Indian community comprising of only a few families and a handful of postgraduate students. Dr Nayak was made the convenor of this club.

A simple constitution was formulated in the following year with a view to promote the knowledge and understanding of the Indian culture and to developing a spirit of co-operation, unity and cohesion between Indians residing in South Australia and Australians. This was considered paramount if the Australians were to be given the opportunity to become acquainted with the Indian culture, the food, the way of life, the values and the history of the Indian subcontinent.

This decision having been made, the first step was to try and spread the word, so as to enrol as many members as possible to make this a viable proposition. This initially proved difficult but as it gained momentum, more and more people, both Australians and Indians residing in South Australia, applied for membership; fees were kept to a minimum to make it attractive. It was extremely gratifying to find that Australians were very interested in the newly formed club and at that time they formed a sizeable proportion of the total membership.

The next step was to draw up a written constitution to provide guidelines along which the Club would operate. Consequently, at the Annual General Meeting held in April 1971, by a democratic process, an Executive Committee was elected, consisting of five members: President, Secretary, Treasurer and two committee members.

This body was given a mandate to offer cultural, social and recreational activities to members and to maintain auditable accounts. The term of office was for twelve months, during which time, the Committee, according to the constitution, would steer the affairs of the club. At the AGM, the next executive committee would be duly elected.

From these early beginnings, the Club began to expand quite rapidly and it was soon realised that club membership had been increasing very fast and hence consideration had to be given to raising the status of the India Club from the club level to that of an Association. Consequently, this matter was fully discussed at the AGM in 1974 and the consensus was that the simple constitution which had been drawn up earlier was far short of the minimum requirements of an Association. The proposed new constitution would, in the main, enlarge the existing clauses and include new proposals that were felt so necessary to run an Association constitutionally.

A change in the name to "The Indian Australian Association of South Australia" was proposed at the IAASA Constitution 2016

AGM, which was approved by a majority vote. It was also agreed that the Executive Committee would be required to be extended to include a President, Vice President, Secretary, Treasurer, Cultural Secretary, Welfare Secretary, Information Secretary and five committee members.

The Association then started functioning more and more vigorously. The monthly newsletters started to come out, containing news and events of interest to members. A weekly get-together (venue: North Adelaide Primary School) was arranged, where the members could meet each Sunday afternoon and read Indian newspapers and magazines over a cup of tea. Soon, the members of the Association recognised the need for a permanent building of their own. With this view in mind, the Association embarked upon a number of fund raising projects like Indian food fairs, Indian cultural evening, Indian cooking classes and Indian dance and drama during the Adelaide Festival of Arts.

Since those years, the Association has made considerable progress. At the AGM in 1985, the constitution was re-written and officially accepted. A youth wing was also formed.

The Association has since then grown considerably, with a membership of over 1,000 families. Exhibitions, get-togethers, cultural activities, barbeques, annual dinner dances, annual Mela, and sports activities are being organised regularly. These activities have been well supported by the members and the community at large.

In 1989, the Indian Education Centre Trust was formed for the purpose of procuring a building. The hall at 6 Blarney Avenue, Broadview was purchased through the patronage of Indian Australian Association of SA (IAASA) and through the generous support of its members and well-wishers.

The annual Indian Food and Cultural Festival — Mela, has been a key highlight of the Association's activities for more than two decades. The local Indian community and businesses through this festival showcase their talents, share their culinary delights, and the richness of their culture with the wider community. Mela was first held in a small scale in 1992, at the Fullarton Park Community Centre grounds, an initiative of Dr Jagdish Saraf. In later years, it was held at Ridge Park, Myrtle Bank. As its popularity increased, Mela was moved to Bonython Park, Adelaide (2001- 2003). In an effort to lift its profile further, from 2004 to 2014 Mela was held at the heart of Adelaide CBD, at Elder Park by the Torrens River. In 2005, for the first time, it was made a day and night event. From 2015 Mela is being held at the Royal Adelaide Show Grounds, which is a more convenient all-weather venue. This colourful and vibrant festival attracts attendees from diverse cultural groups who look forward to it every year. It has won the sponsorship of the State government and the Adelaide City Council, and attracts over six thousand people.

It is evident that the Association has grown from its humble beginnings to what it is today, mainly due to the efforts and the dedication of its management committees over the years, increasing migrants' influx and also due to the strong support of its members.

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Indian Australian Association of South Australia Inc. Constitution - 2016

1. NAME AND REGISTERED OFFICE:

- 1.1. The name of the incorporated association is **Indian Australian Association of South Australia Inc.** (hereafter referred to as "**IAASA**").
- 1.2. The registered office of IAASA shall be P.O. Box 82, Tynte Street, North Adelaide, SA 5006.
- 1.3. The physical location of the office: IAASA Hall, 6 Blamey Ave., BROADVIEW, SA 5083.

2. INTERPRETATION:

- 2.1. In these rules, unless a contrary intention appears,
 - 2.1.1. "The Association" means the association referred in Clause 1.1.
 - 2.1.2. "Member" means a person paying a membership subscription to IAASA.
 - 2.1.3. "Committee" means the Management Committee of IAASA.
 - 2.1.4. "Executive Committee" is a part of the Committee consisting President, Vice-President, Secretary, and Treasurer.
 - 2.1.5. "Financial year" means the year ending on 30th June.
 - 2.1.6. "Meeting" means meetings convened for various reasons and contained in various Clauses within this Constitution.
 - 2.1.7. "The Act" means the Associations Incorporation Act of SA1985.
 - 2.1.8. "The Regulations" means regulations under the Associations Incorporation Act 1985.
 - 2.1.9. "Objectives" means the purposes set by IAASA and agreed during the Committee and/or Annual General or Special General Meetings.

3. OBJECTIVES:

- 3.1. To promote, develop and diversify the understanding of Indian culture, customs, languages, philosophies and traditions to people of Indian origin and the general Australian public.
- 3.2. To promote Indian literature, art, drama, music and other forms of entertainment approved by the Committee.
- 3.3. To promote sports and sports related activities of interest to the members of IAASA and others.
- 3.4. To organise festivals and family gatherings.
- 3.5. To promote and foster understanding, friendship, goodwill and appreciation between the Indian community and the cross-sections of various ethnic and cultural communities of South Australia.

- 3.6. To recognise and honour artists, scholars, and personalities involved in promoting Indian culture and heritage.
- 3.7. To provide a link and act as a peak body between IAASA and other organisations that share IAASA's values within Australia and overseas. This includes liaising with Indian Government bodies, and Australian Government bodies at Federal, State and Local levels on behalf of persons of Indian origin and the Members of IAASA.
- 3.8. To provide physical / moral support to new migrants of Indian background settling in South Australia and help with their needs.
- 3.9. To bring cultural delegations with the sole intention of developing cross-cultural understanding, raising funds and providing entertainment to the members of IAASA, their friends and people of South Australia.
- 3.10. To receive donations, hold and maintain funds, manage movable / immovable properties for carrying out the objectives.
- 3.11. To affiliate with any entity whether incorporated or not, and to appoint representatives to any such entity to further these objectives
- 3.12. To make donation and / or contribution to any benevolent, educational, charitable or other not-for-profit associations in accordance with these objectives.

4. MEMBERSHIP PROCEDURES:

- 4.1. A natural person, who applies and is approved for membership, as provided in these rules, is eligible to be a member of IAASA on payment of the prescribed subscription payable under these rules -
 - 4.1.1. Any person interested in India and its culture is eligible to seek membership with IAASA.
- 4.2. An application by a person, as in Clause 4.1.1, for membership of IAASA -
 - 4.2.1. Shall be in the 'Prescribed Membership Application Form' set out in the IAASA website or obtained from the Secretary of IAASA.
 - 4.2.2. The 'Prescribed Membership Application Form' should have provision in the form, apart from all other details required, a declaration for permission / no permission given for other members to see their details.
 - 4.2.3. Shall be lodged through the IAASA website or with the Secretary of IAASA.
- 4.3. As soon as practicable, after the receipt of an application, the Secretary - shall refer the application to the IAASA Committee.
- 4.4. The Secretary shall, upon receiving the payment of the amount for the designated membership category, enter all the applicants' details, as given in the approved application form, including the phone numbers, e-mail IDs, addresses and the date of joining, in the register of members.

- 4.5. The rights, privileges and obligations of a person by the reason of their membership of IAASA :
- 4.5.1. Are not transferrable to any other person.
 - 4.5.2. Terminates upon the cessation of their membership of IAASA by any of the reasons listed under Clause 5.3 and / or any other valid reason.

5. MEMBERS - SUBSCRIPTIONS, TYPES AND RULES:

- 5.1. The changes to membership including subscription for each type of membership shall be determined by resolution at the Annual General Meeting -
- 5.1.1. The change in subscription amounts, if any, shall commence from the beginning of the next financial year.
 - 5.1.2. Treasurer may send, to all annual current members, a renewal of membership notice, by email, 14 days prior to the end of each financial year (June 30).
 - 5.1.3. The onus is on the members to pay the subscription amount, whether getting a reminder or not, on or before the due date to continue to be a current financial member of IAASA.
 - 5.1.4. The membership subscriptions are not refundable under any circumstances.
 - 5.1.5. A member who defaults subscription payment by more than 90 days after the due date shall cease to be a member of IAASA.
- 5.2. Types of membership -
- 5.2.1. Individual Member - A person over the age of 18 years and paying their annual subscription.
 - 5.2.2. Family Member – A person and their spouse/defacto partner with their children below the age of 18 years and paying their subscription.
 - 5.2.3. Individual Life Member – A person paying special once in life time payment.
 - 5.2.4. Family Life Member – A person and their spouse/defacto partner with their children below the age of 18 years paying once in life time subscription.
 - 5.2.5. Corporate Member - Commercial trading entities and not for profit organisations which support the objectives of IAASA.
 - 5.2.6. Regional and Cultural Organisations Member –Those who wish to contribute and support the objectives of IAASA.
 - 5.2.7. Concessional Member - Students, pensioners and senior citizens with valid identification.
 - 5.2.8. Honorary Member – Shall be a person who has rendered distinguished service to the Association or otherwise deserves to be an honorary member who shall be elected by at least two-thirds majority of the members present and voting at a duly convened AGM/SGM provided that:

- not more than two Honorary Members shall be elected in any one year, and
- the aggregate number of such Honorary Members at the time of any such election shall not exceed 5% of the total membership.

- 5.2.9. New Migrants to Australia - Free membership for one year from the date of arrival but do not have the voting rights until they become financial members
- 5.3. A person ceases to be a member of IAASA, if any of the following occurs:
- 5.3.1. Death.
- 5.3.2. Non-payment of the annual subscription and other criteria stipulated in Clause 5.1.5
- 5.3.3. Expulsion from IAASA.
- 5.3.4. Resigns from IAASA.
- 5.3.5. Suspension from IAASA for any valid reason / reasons (ref: 7.4)
- 5.4. A member who ceases to be a member of IAASA for any reason / reasons, as in Clause 5.3 shall return all IAASA properties to the Management Committee within five working days.

6. REGISTER OF MEMBERS:

- 6.1. The Secretary shall keep and maintain a database of members with all the member details, as stipulated in Clause 4.4.

7. RESIGNATION OR TERMINATION OF MEMBERSHIP:

- 7.1. A member of the Association who has paid all moneys due to the Association, may resign from the Association by giving one month notice in writing to the Secretary of - their intention to resign and upon the expiration of that period of notice, the member shall cease to be a member of IAASA.
- 7.2. Upon the expiration of a notice given under Clause 7.1, the Secretary shall make entry in the database of members, recording the date of the notice of resignation and the date the member ceased to be a member.
- 7.2.1 If the notice of resignation was given by any other person, the legal relationship of that person to the resigning member should be verified and entered in the database.
- 7.3. A member of IAASA, who has not renewed their annual subscription within 90 days after its due date, shall be deemed to have tendered their resignation to IAASA.
- 7.4. Any member of the Association may have their membership terminated by a three quarters majority votes at Special General Meeting upon the grounds of behavior incompatible with the good name of the Association. In considering this issue, however, the Secretary shall serve a notice on the member to show cause why their membership should not be

terminated at a Special General Meeting. This should be done at least 14 days prior to calling such a Special General Meeting and the reply received should be given due consideration by the Committee before calling a Special General Meeting. The meeting notice shall state the grounds upon which it is being proposed to the Special General Meeting to terminate their membership. The reply to such a notice shall be tabled at the Special General Meeting for consideration of the members.

8. DISPUTES:

- 8.1. The procedures set out in these rules apply to disputes/ grievance under these Rules between
 - 8.1.1. Members about IAASA matters.
 - 8.1.2. IAASA Member and Committee members on IAASA matters.
- 8.2. The parties with the dispute in 8.1.1 and 8.1.2 must meet and discuss the matter for the dispute and, if possible, resolve the dispute.
- 8.3. If the parties are unable to resolve the dispute, a meeting in the presence of an Advisor, as per Clause 18.5, may be required.
- 8.4. If disputes are not satisfactorily settled with the efforts of the Advisor, the parties involved can call for a Special General Meeting. (Refer to Clauses in Section 11)

9. UNRESOLVED DISPUTES:

- 9.1. When everything possible under the jurisdiction of IAASA fails to resolve the dispute, the member may approach the court of Law under Section 61 of the Act for further proceedings.

10. ANNUAL GENERAL MEETING (AGM):

- 10.1. IAASA shall, in each calendar year, convene one Annual General Meeting of its members.
- 10.2. The Annual General Meeting shall be held, each year after Indian Independence Day Celebrations. The AGM must be held in the month of August or September of that calendar year.
- 10.3. A minimum of 28 days' notice must be given to convene the Annual General Meeting. The time, date and place of the meeting shall be specified in the notice convening it.
- 10.4. The ordinary businesses of the Annual General Meeting shall be:
 - 10.4.1. To confirm the minutes of the immediate preceding year Annual General Meeting and of any special general meeting / meetings held since last annual general meeting.
 - 10.4.2. To receive reports and transactions of IAASA, reports from various portfolio committees of IAASA, for the year.

- 10.4.3. To receive and consider the financial statement submitted by the Treasurer with the auditor's reports in accordance with the Act.
 - 10.4.4. To elect various members for the incoming IAASA Committee.
- 10.5. The incoming Committee is normally given not more than 28 days, from the date of the AGM / election, to allocate portfolios to the committee members and to plan the activities for their term in office. All members of IAASA should be made aware of the incoming Committee plans as early as possible.
 - 10.5.1. The outgoing Committee must hand over to the incoming Committee all IAASA keys, documents, data, passwords, electronic media, social media, website-passwords, data bases, computer software and hardware associated with IAASA's functioning within seven working days. The outgoing committee should provide all necessary assistance to enable the incoming committee to continue the usage of the accounts related to social media, website, database, software and any other electronic media.
- 10.6. The Annual General Meeting may elect to transact a business for which a notice has been given in writing to the Secretary 14 days before the meeting, so it can be included in the agenda of businesses at that meeting.

11. SPECIAL GENERAL MEETINGS:

- 11.1. All general meetings other than the Annual General Meeting shall be called Special General Meetings (SGM).
- 11.2. A special general meeting can be called by the President, for transacting important and essential businesses as they arise, prior to the Annual General Meeting, with a minimum of 21 days' notice to the members about the nature of the business and transacting only those businesses in that meeting.
- 11.3. A requisition in writing can be made from no fewer than twenty members, observing the rules in Clause 11.4 and requesting the Secretary to convene a Special General Meeting. The Secretary shall oblige to such request, if all other reasonable avenues to address the specified issues have failed.
- 11.4. The requisition for a Special General Meeting, as in Clause 11.3, shall state the objectives for calling the meeting and shall be signed by the members making the requisition, with their names printed under their signatures, and that be sent to the Secretary. The Secretary shall inform the members of IAASA, the objective of the special general meeting.
- 11.5. If the Committee does not convene a Special General Meeting within one month after the date of the requisition, the requesting member(s), may convene the Special General Meeting provided:
 - meeting is held no later than 3 months after the date of the initial requisition

- with at least 15% of the registered members present in such Special General Meeting
 - three quarters of those present voting in favour to support the objective reason for which that meeting was convened.
 - The leader of the members requesting the meeting shall chair the meeting and conduct the proceedings peacefully and as per the normal procedure. Minutes of the meeting shall be recorded and a copy provided to the IAASA Committee.
- 11.6. A Special General Meeting convened with Clause 11.5 shall deal only with the raised issue for calling that Special General Meeting and conducted in the same manner as those meetings which are normally convened by the Secretary.

12. CONVENING THE MEETINGS & QUORUM:

- 12.1. The Secretary, in consultation with the President, is responsible to convene the Annual General and Special General Meetings.
- 12.2. The number of current members that must be present and the other required essentials are indicated in paragraph 13.2 for the business done is to be legal or binding,

13. PROCEDURE OF GENERAL MEETINGS:

- 13.1. No item of business shall be transacted, other than the ones published in the agenda, at a general meeting. A quorum of the members, who are entitled under the rules to vote, have to be present during the time when the meeting is called to order.
- 13.2. The physical presence of 15% of the current members is considered to be an acceptable quorum, to transact business in any of the meetings, unless it is specifically mentioned anywhere else differently.
- 13.3. If a quorum is not present, within half an hour after the appointed time for the commencement of an Annual General Meeting, the members physically present shall be the new quorum. However, for a Special General Meeting, if the new quorum of 5% of currently registered members is not present, the meeting shall be dissolved or adjourned by the presiding officer. This does not apply to SGM requisitioned by the members (Ref. clause 13.4)
- 13.4. If a quorum of 15% of currently registered members is not present at a meeting convened upon the requisition of members, the meeting shall be dissolved or adjourned by the presiding officer.
- 13.5. The President, or in their absence, the Vice-President shall preside as Chairperson at each meeting of IAASA, unless otherwise specified.
- 13.6. If the President and the Vice-President are absent from a meeting, the Secretary shall preside as Chairperson at those meetings of IAASA.

- 13.7. Where a meeting is adjourned for 21 days or more, a notice for the adjourned meeting shall be given as in the case of the General Meeting.
- 13.8. All matters are resolved in the AGM, with a simple majority of votes from the members present.
- 13.9. All matters are resolved in the SGM, with three quarters of votes from the members present.
- 13.10. Any of the disputed questions arising at a general meeting of IAASA, and if voting is essential to resolve that question, a member has only one vote.
- 13.11. All votes, at Special General Meetings, shall be given personally and no proxy would be allowed.
- 13.12. In the event of the votes being tied on a question, the voting should be repeated until a resolving result is reached.
- 13.13. If, at a meeting, a poll on any question is demanded by not less than three members, on the issue for which the meeting is convened, it shall be taken at that meeting, preferably as a secret poll or in such manner as the Chairperson may direct. The result of the poll shall be deemed to be a resolution on that question.
- 13.14. A member is eligible to vote at any general meeting if all moneys due and payable by him / her to the Association have been paid, and has been a financial member on the day of the notices to any of the meetings and continued to be so on the day of the meeting.
- 13.15. An exception to the above clause is that the members of the previous year can renew their membership on the day of the General Meeting or an SGM if held, and will be eligible to vote.
- 13.16. In the case of family membership (Family Member or Family Life Member), only the person and their spouse/defacto partner is entitled to vote and such vote shall be considered as two individual votes.

14. MANAGEMENT COMMITTEE:

- 14.1. The Management Committee of IAASA:
 - 14.1.1. Shall control and manage the businesses and affairs of IAASA.
 - 14.1.2. Subject to these rules, regulations and the Acts, has power to perform all such acts and functions as they appear to be essential to the Committee, for the proper management of the businesses and affairs of IAASA.
 - 14.1.3. Members of the Management Committee must not use IAASA to promote or further their personal, political or religious views and/or ideologies.
 - 14.1.4. All candidates who intend to be nominated as Members of the Management Committee of IAASA must be a current financial member, over the age of 18 years and residents of South Australia.

14.2 Management Committee of IAASA shall consist of the Executive Committee and the Committee Members as listed below:

Executive Committee

14.2.1 President.

14.2.2 Vice-President.

14.2.3 Secretary.

14.2.4 Treasurer.

Committee Members

14.3 Committee Members - Seven members in total.

14.4 Co-opted Members

Up to two co-opted members can be selected by the Management Committee to meet the skill deficit in the Management Committee. Co-opted members do not have voting rights in the Management Committee meetings.

14.5 Advisors: Two Advisors shall be appointed by the Management Committee.

14.5.1 The Advisors should have been financial members of the Association for a minimum of two previous financial years and previously held a Management Committee position for a minimum of one year and must be persons of good standing in the community for their integrity and knowledge.

14.6 A Public Officer.

14.6.1 A Public Officer shall be appointed by the Members of the Management Committee for a term of one year. The limits and restrictions in Clause 14.5.1. shall apply to this position also. This position is solely for official communications with the Government bodies and the Public Officer need not be a member of the IAASA Management Committee. The name and address of the new Public Officer should be notified to - Consumer and Business Services of South Australia within seven calendar days from the date of the election

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14.7 The term of office for the Members of the Management Committee and any position in Clauses 14.2. to 14.6, shall be for one year.

14.8 Before a financial member contests the position for President they must have served as a member of the Management Committee for a minimum of one year.

14.9 A President who has served as President for two consecutive terms shall not be eligible for re-election for Presidency for the following term. If a suitable candidate is not forthcoming then, the AGM by a simple majority may appoint that person as President of the Association.

- 14.10 Persons who have served as Vice President, Secretary and Treasurer and have served in the same position for three consecutive terms shall not be eligible for re-election to the same position for the following term. In the event a suitable candidate is not forthcoming, then the AGM by a simple majority may appoint such person to the position if it deems fit.
- 14.11 In the event of a vacancy in any office referred to in Clauses 14.2 and 14.6, the Committee may appoint one of its Committee members to the vacant office and the member so appointed shall continue in office up to the next Annual General Meeting following the date of their appointment. If more than one wants to contest the position then a secret poll of the management committee is the decider.
- 14.12 In case of a vacancy in Clause 14.3 or 14.6, the Committee should nominate one or more of current IAASA members to that position, with the stipulated qualifications. If more than three vacancies arise in the term of the committee in 14.3 or a vacancy arises in the Executive Committee in 14.2, the process of clause 15.8 shall be applied.
- 14.13 The position of the Public Officer, as per the Act, cannot be vacant for any more than one month. The name and address of the new Public Officer should be notified to the Consumer and Business Services of South Australia within seven calendar days.

15. ELECTION OF THE COMMITTEE AND RETURNING OFFICER:

- 15.1 A Returning Officer who conducts the election of the incoming IAASA Committee for the following year term should be nominated or elected at the annual general meeting.
- 15.2 The person nominated or elected as the Returning Officer must remain as a current member of the Association through their term as the Returning Officer and familiarise with the various election Clauses and Rules set in this Constitution.
- 15.2.1 If more than one nomination for Returning Officer position is submitted at the meeting, the nominee getting a minimum 51% support, either by show of hands from the eligible members present at that meeting or, if demanded by the members, by a secret poll, will be elected.
- 15.2.2 In a situation where there is no nomination for the Returning Officer position was made in the Annual General Meeting, every effort should be undertaken to fill the position at a Special General Meeting in between two successive Annual General Meetings.
- 15.2.3 The Returning Officer has the authority to conduct elections for all offices listed in Clauses 14.2 and 14.3.
- 15.2.4 The Returning Officer has no other executive power along with the Management Committee.
- 15.3 Nominations for various positions in the Management Committee of the Association

- 15.3.1 Nomination shall be called along with the notice for the annual general meeting by email/ mail/ newsletter notices, sent by the Secretary, with details about the positions, sample nomination papers and also instructions for returning the duly completed nomination papers to the Returning Officer.
 - 15.3.2 The name, address and e-mail ID of the Returning Officer should be included in the notice calling for the nominations.
 - 15.3.3 There should be clear instructions, in the notice calling for the various nominations that the correctly filled nomination papers with the current financial members proposing and seconding a nomination, duly signed and their names printed under their signatures.
- 15.4 Properly completed nomination papers should be returned to the Returning Officer, on or before 14 days from the date fixed for the annual general meeting and the election.
- 15.5 The Returning Officer is given the authority to check the submitted nominations for their validity, eligibility and adherence to various restrictions given elsewhere in this Constitution. The Returning Officer prepares the list of the nominees for the various positions for election in the annual general meeting.
- 15.5.1 The Returning Officer, with the help of the Secretary, must send the list of nominees for the various positions to all the Members of IAASA, at least 7 days before the election at the annual general meeting.
- 15.6 Positions with unopposed nominations will be declared elected. Opposed nominations will have election by secret ballot.
- 15.6.1 Positions with no nominations submitted within the due time will be declared by the Returning officer as vacant and invite nominations from members present at the meeting.
 - 15.6.2 Invited nominations that fulfil the various criteria and conditions set in this constitution will be declared as elected.
 - 15.6.3 If more than one member comes forward for a position declared, as in Clause 15.6.1, the one getting secret ballot poll majority will be declared as elected
 - 15.6.4 Votes are acceptable either by Post or Email for the elections at the annual general meeting election only. The voting papers with correct details about the nominees and the positions they are voting for, with the voting member's signature and printed name, should be submitted. These are submitted in sealed envelopes or as scanned attachments to an email to reach the Returning officer, three days before the election for postal and email votes or in person on the day of election at the annual general meeting. Those envelopes should only be opened by the Returning Officer in front of the Presiding Officer at that meeting and checked for the validity of those votes by both the officers.

- 15.6.5 Proxy voting would only be permitted at the AGM under special circumstances such as the member being away, seriously indisposed or other serious circumstances that prevent a member attending the meeting in person. The Returning Officer has the final ruling on this issue. If this is allowed, the proxy votes must be clearly marked about the voting choices and duly filled in by eligible members along with a witness signature, name and address.
- 15.6.6 The Management Committee shall take up office at the close of the AGM at which the Members have been elected.
- 15.7 In the event there are no nominations for any of the positions, the incumbent committee member may continue until the position is filled. If the incumbent member is unwilling to continue, the Advisors may nominate candidates for approval by the AGM for those positions.
- 15.8 If the process in 15.7 is not successful and the vacancy is in the Executive Committee or if more than three vacancies exist in the Committee, then an SGM shall be called within three months and elections are held for those unfilled positions in accordance with Clause 15.1 to 15.6.

16. VACANCY ARISING IN THE EXISTING MANAGEMENT COMMITTEE:

- 16.1 For the purposes of these rules, a position of the IAASA Committee becomes vacant if a member:
- 16.1.1 ceases to be a member of the Association as outlined elsewhere in this Constitution
 - 16.1.2 resigns their office by a notice in writing given to the Secretary of IAASA and approved by the Committee.
- 16.2 The Executive Committee may fill in a casual vacancy by nominating an IAASA financial member, until the next Annual General Meeting and Election. The substituted member shall not have voting rights at Management Committee meetings. However, the Executive Committee can only fill up to a maximum of three vacancies in a term without calling for a special general meeting.
- 16.3 If there are more than three vacancies during the term, a special general meeting shall be called to fill the vacancies after calling for nominations in accordance with Clause 15.3.

17. PROCEDURAL RULES FOR THE COMMITTEE:

- 17.1 The Committee shall meet at least six times in a year of its term in office.
- 17.2 Special meetings of the Committee may be convened by the President or by half of the Committee members listed in 14.2 and 14.3.

- 17.3 Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- 17.4 Notice of each Committee meeting shall be served upon each Committee member, at least one week prior to the meeting date by email or any other electronic means agreed by the existing Committee.
- 17.5 A minimum of 60% of the Committee members constitutes a quorum for the transaction of business at the meeting of the Committee.
- 17.6 No business shall be transacted unless a quorum is present, and if a quorum is not present within half an hour of the time appointed for the meeting, the Committee members physically present would make the quorum.
- 17.7 At the meetings of the Committee -
- 17.7.1 The President or in their absence the Vice President shall preside over the meeting.
- 17.7.2 If the President and the Vice-President are absent, the Secretary will preside over the meeting.
- 17.7.3 When the president, vice-president and the secretary are not present at a meeting, the Treasurer will preside over the meeting.
- 17.8 On questions arising at a meeting of the Committee or of any sub-committee appointed by the President, solutions shall be determined by a show of hands or, if demanded by a member, by a secret poll. The person presiding at the meeting shall decide this accordingly.
- 17.9 Each member present at a meeting of the Committee (including the person presiding at the meeting) is entitled to one vote and in the event of a tie on any question, the process of the poll should be repeated until a decision is reached.
- 17.10 Major decisions, monetary or non-monetary, that may significantly impact the Association or future Committees must be carefully considered in consultation with the Management Committee and the Advisors.

18 DUTIES AND RESPONSIBILITIES OF THE COMMITTEE MEMBERS AND MEMBERS OF IAASA:

- 18.1 The President shall be responsible for:
- 18.1.1 coordinating the administration of the Association.
- 18.1.2 providing general leadership to ensure that the Aims and Objectives of the Association are adhered to and are enacted.

- 18.1.3 presiding over all the General Meetings of IAASA and all meetings of the Management Committee of the Association. Shall be an external member of all portfolio Committees.
- 18.1.4 portfolio allocations to the members of the Committee.
- 18.1.5 for liaison with other Associations and be the spokesperson for the Association to the media, the Government agencies and other relevant establishments.
- 18.1.6 uniting people who share the objectives of IAASA.
- 18.1.7 producing the annual President's Report which is to be presented at the AGM.
- 18.2 The Vice President shall be responsible for:
 - 18.2.1 assisting the President with their responsibilities.
 - 18.2.2 acting as President in the President's absence.
- 18.3 The Secretary shall be responsible for
 - 18.3.1 the day-to-day administration of the Association, preparing and sending correspondences and reports as required by the Committee.
 - 18.3.2 convening all Committee and General Meetings with the required advance notices.
 - 18.3.3 keeping minutes of Annual and Special General Meetings and all the meetings of the Management Committee meetings and present them when and where required.
 - 18.3.4 circulating the Minutes of the previous Annual General Meeting, President's Report and Treasurer's financial statements to the members at least two weeks prior to the AGM.
 - 18.3.5 acting as the business manager of the Association.
 - 18.3.6 maintain the membership register
 - 18.3.7 all communications sent to members, other than to the Committee, shall be filtered, screened, read and approved by the President or their delegate.
- 18.4 The Treasurer shall be responsible to:
 - 18.4.1 collect and receive all moneys due to IAASA.
 - 18.4.2 pay all the payments authorised by IAASA.
 - 18.4.3 send all current members notices on amounts due to the association, including the amount payable and the due date, at least 28 days before the due date.
 - 18.4.4 keep correct accounts and books showing the financial affairs of IAASA with full details of all receipts and expenditure connected with the activities of IAASA.
 - 18.4.5 be the custodian of the funds of the Association.
 - 18.4.6 provide regular interim financial summaries to the Management Committee.
 - 18.4.7 provide an audited, consolidated financial statement which is to be presented at the AGM. The financial statements, as presented at the Annual General Meeting should be displayed at the place of the meeting.
 - 18.4.8 make the accounts and books available for inspection.

- 18.4.9 maintain a register of the assets of the Association
- 18.5 The Advisors shall:
- 18.5.1 be the primary mediators in disputes within the Association.
- 18.5.2 consider the best interests and objectives of IAASA and help to resolve any issues.
- 18.5.3 settle disputes with constructive dialogues for meaningful results.
- 18.5.4 counsel and provide advice, when approached, to the President and the Committee on all matters related to IAASA.
- 18.6 Public Officer Duties and responsibilities:
shall be in accordance with the Associations Incorporation Act 1985, (Section 56) and as amended from time to time. The Public Officer shall act as the liaison between IAASA and the Government, as required by the Act.
- 18.7 The Committee Members' responsibilities:
- 18.7.1 Members of the Committee shall be assigned duties by the President, depending on their expertise, to execute the portfolios like cultural activities, availing grants from various sources, public relations, membership drive, managing digital media and news, and activities for the special groups such as the new arrivals, seniors, youth, women and children.
- 18.7.2 Plan portfolio tasks assigned to them by the President. Select and allocate roles to IAASA members or teams to execute the plan.
- 18.7.3 Monitor and lead the team to achieve successful outcomes for the given portfolio.
- 18.7.4 Communicate regularly with portfolio team members and IAASA Committee.
- 18.8 This Clause applies to all members of the Management Committee:
- 18.8.1 At least two days' notice should be given to the Secretary or their delegate about their inability to attend a meeting with a valid reason. If such notice is not given, the Member is deemed absent to the Meeting without a valid reason.
- 18.8.2 Cannot be absent for any more than three consecutive Committee meetings, without valid reason.
- 18.8.3 Must attend at least 67% of all the committee meetings in the year.
- 18.8.4 If any member of the management committee fails to satisfy clauses 18.8.2 and/or 18.8.3, they shall be deemed to have resigned and the vacancy shall be filled in accordance with Clause 16.
- 18.9 The IAASA Members responsibilities :
- 18.9.1 The IAASA members are encouraged to be involved in one or more portfolios in need of member's participation and, proactively generate ideas and activities for the benefit of IAASA members.
- 18.10 Standing Orders: The Executive Committee shall have power to adopt and issue Standing Orders and/or Rules for the smooth running of the Association. Such Standing Orders and/or Rules shall come into effect immediately provided that they shall be always

subjected to review by the Association in Annual General Meeting and shall not be inconsistent with this Constitution.

19 MONETARY AND ASSETS TRANSACTIONS OF IAASA:

- 19.1 The signatories, for all the transactions involving all cheques, drafts, bills of exchange, promissory notes and other negotiable instruments, shall and must be any two of: The Treasurer, The President and the Secretary.
- 19.2 The Vice President may be included as a signatory if any one or more of the signatories in Clause 19.1 are indisposed for a significant period of time.

20 COMMON SEAL:

- 20.1 There must be a Common Seal for the Association, as required by the Associations Incorporation Act 1985 of SA, with the full name of 'INDIAN AUSTRALIAN ASSOCIATION OF SOUTH AUSTRALIA INC.' in it. This Common Seal for the Association must be kept in the safe custody of the Secretary.
- 20.2 The Common Seal of the Association shall only be used with the express authority of the Committee of IAASA and every use of that Common Seal shall be recorded in a register kept with the minutes of the Committee.
- 20.3 Authorised affixing of the Common Seal on any instrument shall be attested, in the said register in Clause 20.2, by the signatures of two members of the Executive Committee.

21 ALTERATION OF RULES AND STATEMENT OF PURPOSES:

- 21.1 These rules and the statements of purposes of the IAASA Constitution shall not be altered except in accordance with the following Acts:
- 21.2 The Constitution can be amended / altered only by special resolution of the Association at a Special General Meeting provided that:
 - 21.2.1 At least 21 days' notice is given to the Association members, of a motion to amend / alter the Constitution setting out the terms of the proposed amendments / alterations. Persons proposing to proceed with the amendments / alterations shall all be current financial members of the Association.
 - 21.2.2 At least 14 days' notice shall be given to members to propose any new additions, alterations and amendments to the Constitution of IAASA.
 - 21.2.3 The proposed motions in Clause 21.2.1 and 21.2.2 shall only be carried at a Special General Meeting convened by the Secretary with at least 21 days' notice. A majority of not less than three-quarters of those present and entitled to vote would

be essential to carry successfully an amendment / alteration of the current Constitution of IAASA and register it.

21.2.4 Amendments / Alterations to the Constitution carried by the Clause 21.2.3 shall have no legal validity unless the procedures set out in Act - 24 of the Associations Incorporation Act 1985 are fulfilled. The Public Officer makes the necessary moves for registering the approved Constitution of IAASA, as in Clause - 21.2.3, with the proper SA Government registering authorities within one month after such approved amendments / alterations, to make it a valid legal document.

22 NOTICES:

- 22.1 A notice of legal validity may be served by or on behalf of the IAASA, upon any member either personally or by sending it by Australian postal mail to a member at their address shown in the Register of Members.
- 22.2 Where a document is properly addressed and pre-paid register posted to a person as a letter, the document shall be deemed to have been given / delivered to the person, unless a contrary is proved.
- 22.3 Electronic media is used only for the purposes of sending notices about general meetings, reminder about membership and subscriptions, opinion seeking, newsletters, internal Committee business and / or for anything that is not precluded by any Clauses in this Constitution. Should a member specifically request a mode of communication other than by electronic media (eg. postal delivery), such requests shall only be granted on a case-by-case basis to those who are incapable of utilising electronic means eg. age, physical and/or mental health reasons.

23 MANAGEMENT OF ASSETS (INCLUDING THE DISPOSAL):

- 23.1 The incomes and properties of IAASA shall be used and solely applied in the promotions of its objectives and purposes. The boundaries for exercising its powers are set out herein -
 - 23.1.1 No portion / proportion thereof shall be distributed, paid or transferred, directly or indirectly by way of dividend, bonus, profit or otherwise amongst the members of IAASA.
 - 23.1.2 Nothing herein contained shall prevent the payment, in good faith, of interest to any such members in respect of moneys owed to members by the Association.
 - 23.1.3 Provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member, their out of pocket expense, money lent, reasonable and proper charges for goods hired by IAASA.

- 23.1.4 Reasonable and proper rent for premises demised or let to the IAASA or the provision of services by a member for which he would be entitled in accordance with the purposes, if he were not a member of IAASA.
- 23.2 In the event that IAASA is wound up in accordance with the provisions of the Associations Incorporation Act 1985, the essential plan of actions remain as –
- 23.2.1 After satisfactory and final settling of all its debts and liabilities, any property of whatever nature shall be given or transferred to some other institution or institutions having objectives similar to the objectives of IAASA.
- 23.2.2 Prohibits the distribution of its other incomes and property amongst the members of IAASA or the members of the other institutions. The virtues of such institution or institutions shall be determined in accordance with a special resolution of the members of the IAASA or in the absence of a special resolution of the members of IAASA, by the Consumer and Business Services and / or its Registrar.

24 RECORD KEEPING AND CUSTODY OF RECORDS:

- 24.1 It is the responsibility of the Secretary to maintain records of all official businesses including the minutes of the meetings of the Association, either as a hard copy and / or as a soft copy and also keep them in their custody and control all books, documents and securities of the Association, unless an exception is provided to this clause elsewhere within this Constitution.
- 24.2 The Treasurer shall maintain records of all the financial transactions and assets of IAASA.
- 24.3 The President has the ultimate responsibility of making certain that all the records are maintained up-to-date.
- 24.4 It is preferable that the records are maintained in the electronic form and keeping with modern standards of practice.
- 24.5 Formal hand over procedure shall be followed for handing over all records, specified elsewhere in this Constitution, by the incumbent President to the incoming President, within a week after the election.
- 24.6 World Wide Web - The Management Committee shall maintain a reasonable presence of information on IAASA and its membership drive on the IAASA web site. The latest and registered copy of this Constitution should be made available for the members.
- 24.7 IAASA shall adhere to the Privacy Principles in the Commonwealth Privacy Act 1988 in relation to the collection and disclosure of personal information.
- 24.7.1 Collection and Disclosure of Information: IAASA shall collect personal information legally, fairly and where relevant. It should not be collected unnecessarily. Individuals should be told the purpose for which their personal information is being collected and how it will be used, and to whom the agency usually discloses it. Personal information should be kept up-to-date, complete and accurate. Personal information collected by IAASA, should only be used for the purpose for which it was collected, and it should not

be used for any other purpose or disclosed to a third party for any other purpose, unless for the reasons stipulated in the Privacy Act 1988.

25 SOURCE OF FUNDS:

- 25.1 The funds of the Association shall be derived from annual subscriptions, donations, grants from any legitimately available source, proceeds from various activities, portfolios and such other sources as the Committee determines and devises from time to time.

26 SUB COMMITTEE FOR MELA PLANNING AND IMPLEMENTATION (SCMPI):

- 26.1 Mela is the Hallmark festivity of IAASA.
- 26.2 A Sub-Committee for Mela Planning and Implementation (SCMPI), shall be constituted by the IAASA Management Committee. One of the main purposes of the sub-committee is to capture knowledge and provide a continuity to the planning and implementation of Mela. For this reason, the sub-committee shall have the following composition.
- 26.3 The committee consisting of six members shall be established within one month of the IAASA AGM.
- 26.4 Two members of the SCMPI shall include the President and the Treasurer of IAASA. The remaining are selected by the Management Committee, considering talents available in the wider IAASA community.
- 26.5 Of the remaining members, only two are replaced each year. This is to ensure the continuity of knowledge and planning from year to year.
- 26.6 Additional two members can be included in the SCMPI (making a total of eight members), if required.
- 26.7 The Chairperson of SCMPI shall be the President or a nominee of the President selected from within SCMPI.

27 PATRON OF IAASA:

- 27.1 IAASA may propose and seek an appointment of a Patron of IAASA.
- 27.2 A Patron should be a person of high regard in the society who agrees to lend their name to support IAASA.
- 27.3 If the proposed name is approved at the AGM the terms of the appointment should be negotiated by the IAASA Management Committee.
- 27.4 The Patron appointment is semi-permanent and generally re-affirmed at the subsequent years AGMs.

28 INDEMNITY:

- 28.1 The Association shall indemnify and keep indemnified every officer, volunteer and employee of the Association from and against all claims, demands, actions and proceedings (and all costs and expenses in connection therewith or arising therefrom) made or brought against

the Association in connection with its activities, the actions of its officers, members, volunteers or employees, or in connection with its property and equipment but this indemnity shall not extend to liabilities arising from willful and individual fraud, wrongdoing or wrongful omission on the part of the officer, volunteer or employee sought to be made liable. The Treasurer shall effect a policy of insurance in respect of this indemnity.

29 DISSOLUTION:

- 29.1 The Association may be dissolved at any time upon resolution carried at a Special General Meeting of the Association in the same manner as a resolution to amend the Constitution and subject to the formalities required for such amendment. Upon such resolution being carried any property of the Association remaining after payment of all debts and legal liabilities shall be disposed of as directed by the Special General Meeting.

30 TRANSITIONAL PROVISIONS:

- 30.1 This Constitution replaces, in its entirety, the original constitution adopted at the 1985 AGM and all amendments and resolutions passed thereafter to date.
- 30.2 This Constitution takes immediate effect upon a successful motion passed at a Special General Meeting.
- 30.3 The following transitional sub-clauses only apply for the first AGM held after the acceptance of this Constitution and for the duration of the first term of office for those members nominated and elected for this term:
- 30.3.1 In reference to Clause 14.3, the number of Committee members shall include a nominated and elected Assistant Secretary within the total number of 7 members.
- 30.3.2 For the nominated and elected positions of Vice President and Secretary, Clause 14.8 shall not apply.
- 30.4 The following transitional sub-clause only applies for the second AGM held after the acceptance of this Constitution and for the duration of the second term of office for those members nominated and elected for this term:
- 30.4.1 should the elected Vice President and Secretary of the Previous Year wish to continue for a second term in office in the same respective positions, Clause 14.8 shall not apply.

This constitution was adopted at a Special General Meeting of IAASA on 31 August 2016, held at 6 Blamey Av., Broadview, SA 5083.

AdiReddy Yara - President

Deepak Bhardwaj - Secretary

Sam Dahm - Treasurer

Members of the Constitution Panel:

AdiReddy Yara – President IAASA 2015/16 and Coordinator

Dr Govindasamy Thangarajan (Chief Advisor)

Dr Surendra Agrawal

Mrs Mridula Bhat

Mr Sam Dahm

Dr Rajni Madan

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