

HINDU FOUNDATION NEW ZEALAND

The name of the Society is HINDU FOUNDATION NEW ZEALAND.

Article

II. Objects

The objects of the society, HINDU FOUNDATION NEW ZEALAND hereafter abbreviated as **HFNZ** shall be limited to New Zealand and shall be:

Section 2.01

- a. To promote the wellbeing of all Hindus and work for all purposes that are beneficial to the Hindu community in New Zealand
- b. To raise awareness about the philosophy, principles, practices and traditions of Dharma in New Zealand. Dharma is the eternal 'law of being' and the core of human values that govern our daily lives.
- c. To integrate the efforts of Hindus and represent the wider Hindu community on policy matters and delivery of services by both private and authorized government agencies
- d. To network, establish and support activities to achieve better social outcomes for the Hindu community
- e. To promote, establish (including facilitating the establishment for others), operate or maintain facilities for promoting Hindu awareness as may benefit the wider community in New Zealand
- f. To provide opportunities for Hindu activities to promote the welfare of all communities
- g. To encourage participation of new Hindu migrants in activities that will help them assimilate in New Zealand

- h. To utilize the opportunities offered by various organizations in New Zealand to create and develop promotion of wellbeing of Hindus in New Zealand
 - i. To provide a platform to enable Hindus for participation in educational, socio-cultural and socio-religious activities and contributing towards the development of the wider community in New Zealand
- (i) To do anything else within New Zealand that will advance any of the above objects.

Section 2.02

The activities of the Society will be limited to Aotearoa / New Zealand.

Article III. Membership

Section 3.01 Financial Member

Membership of the **HFNZ** shall be open to any person interested in Sanatan Dhama and of the age of 18 or over living anywhere in New Zealand. Membership will be counted per individual.

- a. The Executive Committee shall have the power to accept or decline any individual's and organizations' membership application without assigning any reason.
- (b) Membership applications shall be in writing in the format approved by the Executive committee.
- (c) The intending members shall apply to the Secretary who shall forward the application to the executive committee for consideration at its next meeting.
- (d) Financial member is defined as a member who has paid his subscription during the financial year, latest by the last working day of July in that particular calendar year.
- (e) Members can resign by giving written notice to the Secretary. The subscription paid will not be refunded.

Section 3.03 Associate Member

Other societies, Trusts or Societies with similar objectives as HFNZ may be invited to apply or be invited to be admitted as Associate members.

Any organization applying to join as Associate Member shall:

- (a) Make the application in writing and shall attach its constitution with the application.
- (b) One member from the Associate member organization shall be appointed on the Executive Committee of the HFNZ

Section 3.03 Permanent Financial Members

Any member who donates an amount of \$5,000.00 or more will be awarded Permanent Financial membership of the Society. Permanent Financial Members do not have to renew annual membership

Article IV. Subscriptions

Section 4.01

For membership and financial reporting purposes, the full year shall be counted as from 1 April to 31 March.

Section 4.02

The committee from time to time as the financial needs of HFNZ warrants, call upon the members to contribute towards annual subscriptions which shall be treated as donations, as fixed by the executive committee.

Section 4.03

Each member shall pay the subscription rate as set by the committee

Article V. Meetings of the Society

Section 5.01 Annual General Meeting

- a. The Annual General Meeting (AGM) shall be held every year in the first week of April
- b. There shall be at least one further general meeting during every financial year.

- c. The general meeting or the AGM can be called by the President or the Executive Committee at any time.

- d. Two weeks (10 working days) notice shall be given for the Annual General Meeting and any other general meetings. This notice shall be given by the Secretary or other designated officer of the HFNZ in writing or by electronic mail.

- e. The notice of the AGM shall include the following agenda:
 - (I) Minutes of the previous AGM
 - (II) Matters arising out of the minutes
 - (III) Treasurer's report
 - (IV) President's report

 - (V) Election of office bearers and executive members
 - (VI) Election of Life Members (if any)
 - (VII) General Discussion

Section 5.02 Procedures at the General Meetings

- (a) The quorum at the AGM and general meetings or special general meetings shall be at least 50 financial members present for the conduct of the business.

- (b) If the quorum falls short at the AGM and any general meeting, the meeting shall be adjourned after 30 minutes of the appointed time. The next meeting shall be called within 3 weeks and shall deal with the business of the original meeting only. If at such adjourned meeting, if the required quorum is not present, the meeting shall

be adjourned “sine die” and the existing team of officers and the executive committee will continue in the office for the following year.

- (c) The AGM and any general meeting shall be presided over by the President. If the President is absent, then one of the vice presidents shall chair the meeting. If both the President and vice President are absent, then the members shall nominate an interim chairperson to preside at the meeting.
- (d) The president or person for the time being presiding at the meeting shall have full control over the procedure and conduct at the meeting including the power to remove.
 - f. The President may with the consent of the meeting adjourn the meeting from time to time and from place to place but no business shall be transacted at any of the adjourned meetings other than the business left unfinished at the meeting from which the adjournment took place.
 - g. Minutes - Minutes of the General meetings shall be made in the minute's book provided for the purpose. It should contain names and signatures of the members present and all resolutions and proceedings. Any such minutes signed by the presiding person shall be counted as evidence of the facts stated therein.

Section 5.03 Special General Meeting

- (a) A special general meeting of the HFNZ shall be called by the President, the Secretary or the executive committee upon any or all receiving a written request from 20 financial members of the IA(M)NZ. 2 weeks (10 working days) notice shall be given for such a special general meeting.
- (b) The quorum at the AGM and general meetings or special general meetings shall be at least 50 of financial members present for the conduct of the business.
- (c) The twenty members requesting the special general meeting must provide the exact resolution to be considered at the meeting.
- (d) No business shall be transacted at any such special general meeting except such as is within the scope of the purpose for which the meeting was called.

Section 5.04 Voting

- (a) At any general meeting or at AGM, voting shall be on the voices or by show of hands unless a poll is demanded by majority of members present and a declaration of the Presiding person that a resolution has been carried and an entry to that effect without proof of the number or proportion of the votes recorded in favor or against the resolution.
- (b) If a poll is demanded, it shall be taken by secret ballot and the result of the poll shall be deemed to be the resolution of HFNZ in that meeting.
- (c) In the case of any equality of the votes at any general meeting, the Presiding person shall be entitled to a second or casting vote as well as a deliberating vote.
- (d) At every general meeting or special general meeting all financial members present shall be eligible to vote.

Article VI. Executive Committee

Section 6.01 Office Bearers

The office bearers of the HFNZ shall be as follows, unless otherwise determined by an Annual General Meeting.

- 1) President
- 2) Vice President
- 3) Secretary
- 4) Assistant Secretary
- 5) Treasurer
- 6) Assistant Treasurer
- 7) Honorary Solicitor
- 8) Honorary Auditor

Section 6.02 Executive Committee

- (a) The executive committee of HFNZ shall consist of the President, Vice President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, plus 15 committee members.

- b. One representative from each Associate member organization shall be appointed as Executive member, with a limit of maximum of 5 representative executive members.

Section 6.03 Elections

- a. At the Annual General Meeting every year all offices shall be declared vacant and an election of Officers and Executive Committee members shall take place.

- b. Nominations for the positions of any office shall be filed on the prescribed form 4 weeks (20 working days) prior to the date of the Annual General Meeting).

- c. Nominations may be withdrawn up to 1 week (5 working days) prior to the AGM.

- d. The Secretary shall inform all members the nominations made for various offices at the AGM.

- (e) Eligibility criteria for nominations for various offices:
 - (i) To become an office bearer, the candidate shall be a financial member of the HFNZ
 - (ii) The candidate shall have good understanding of Hindu Dharma

- (III) No office bearer shall serve for more than three (3) consecutive years in the same position unless unchallenged at the AGM elections.
- (IV) The candidate for the Executive Committee must have been a financial member of HFNZ
- (V) The candidate for the Executive Committee must have a proposer and be seconded for the nomination.
- (VII) The candidates must be present at the meeting or have stated his/her intention to seek office in writing to the Secretary.

Section 6.04 The Honorary auditor and honorary solicitor

They shall be nominated by mutual consent from the newly elected Executive Committee and not normal election procedures. The selection criteria for these positions are:

- (a) Be a practicing accountant or solicitor.
- (b) Not necessarily be a financial member of HFNZ.
- c. These positions being honorary, neither the auditor nor the solicitor will be paid any fees by HFNZ for their services.

Article VII. The Executive Committee

Section 7.01 Meetings

- (a) The quorum at any Executive Committee meeting shall be at least 1/3 of the elected executive members.
- (b) If within 30 minutes of the specified time for the meeting, a quorum is not present, the meeting shall be rescheduled.
- (c) The Executive Committee meeting shall be held in the first week of each month on the day decided by the Executive Committee.
- (d) The meeting shall be presided over by the President. In the absence of the President, Vice President shall chair the meeting. In the case that both were absent, then a chairman shall be nominated by the members present at the meeting.

- (e) Questions arising at any meeting of the committee shall be decided by a majority of votes and in case of an equality of votes, the Presiding Chairman in addition to his original vote shall have a casting vote.
- (f) An Executive Committee meeting can be called by the President or the Secretary or ten (10) Executive Committee members.
- (g) Minutes shall be recorded in the Minutes book provided. It shall include the names and signatures of the committee members present at every meeting and all resolutions and proceedings of the committee. Any such minute signed by the presiding person shall be receivable as evidence of the facts therein stated.

Section 7.02 Powers

- a. The Executive Committee may delegate any of their powers to a sub-committee consisting of financial members as referred in Section 3.01. Any sub-committee formed shall in exercise of the powers delegated conform to any regulations imposed upon them by the Executive Committee. The sub-committee shall submit its report to the Executive Committee within the time allocated.
- b. The President shall be the ex-officio member of all sub-committees.
- c. A member of the Committee shall cease to be an Executive Member and his office declared vacant if
 - 1. The member absents him/herself without apology and reasonable excuse for more than three (3) consecutive meetings of the committee.
OR
 - 2. If by any action or statement, the member does or says anything that may injure HFNZ. OR
 - 3. If by notice in writing to the Secretary, he resigns his office.

- d. The committee shall have the power to Co-opt any person with specific skills and qualifications from general public to the Executive Committee. The co-opted member shall not have voting right.
- e. Suspension & Expulsion of a Financial Member:
 - 1) Any member who in the opinion of the Executive Committee has acted in the manner prejudicial to the interests of the HFNZ may be expelled, or suspended from membership of the HFNZ for a period not exceeding 36 months, approved by 75% majority of the Executive Committee.
 - 2) At least 14 days written notice of any proposed expulsion or suspension resolution shall be given to all persons entitled to vote at the Executive Committee meeting and to members concerned, giving particulars of the acts which are subject of the complaint.

Section 7.03 Collective Duties of the Officers

- (a) The President, the Secretary and the Treasurer shall be jointly responsible for all matters relating to the maintenance, incomes & expenses relating to the properties (real estates) owned by HFNZ.
- (b) The elected officers of HFNZ shall manage all aspects of the properties such as letting, collecting hire charges, fire insurance, council rates, maintenance etc. shall be the responsibility of the elected officers.
- (c) Any expenses of \$ 1,000.00 or more per annum shall require a minimum of 2 quotations before approval.
- d. The Officers shall be responsible for all negotiations for purchase and sale of any real estate on behalf of the HFNZ.

Section 7.04 Duties of the President

- (a) The President shall chair at all General meetings and all Executive Committee meetings
- (b) The President shall attend all subcommittee meetings.

- (c) The President shall organize various programs, celebrations, meetings etc. for the full year with the help of the Secretary and the Executive Committee members.
- (d) The President, the Secretary and the Treasurer shall organize all funding applications at the beginning of financial year for all events/celebration/projects etc. for the forthcoming year.
- (e) The President shall attend all public meetings, forums, ethnic communities' conferences, council meetings, governments departments and agencies meetings etc. as warranted in performance of his duties and will report back the findings to the Executive Committee. If he/she is unable to attend, either the Secretary or the Treasurer shall attend the meetings. In case of all unable to attend, a nominated Executive Committee member shall attend the meeting.
- (f) The President shall act as official spokesperson for the HFNZ and will issue press releases/ statements on important matters.
- (g) The President shall endeavor to develop the ongoing projects for HFNZ as decided by the Executive Committee.

Section 7.05 Duties of Vice President

- a. In the absence of President, the Vice President shall attend to all duties of the President

Section 7.06 Duties of the Secretary

- a. The Secretary will keep accurate record of all meeting minutes, resolutions, correspondence, communications and all matters relating to HFNZ's proceedings, programs, events and meetings. The meeting minutes shall be entered in the Minutes book.
- b. The Secretary shall, within 20 working days from the date of Annual General Meeting or special general meeting, forward to all members of the Society, the minutes of the said General or Special General meeting.
- c. The Secretary will send the minutes of previous AGM with the notice calling for the next Annual General meeting to all members.

- d. The Secretary shall, 7 days prior to the date of the next Executive Committee or any other meeting, forward to the members, the minutes of the said meeting and the agenda for the next executive meeting.
- e. The Secretary will be responsible for all inward and outward correspondence for HFNZ.
- f. The Secretary shall perform all duties relating to the annual election as referred in Section 6.03.

Section 7.07 Duties of the Treasurer

- (a) The Treasurer will be one of the signatories to the bank accounts of HFNZ
- (b) The Treasurer shall be responsible for receiving and keeping accurate records of all monies received for HFNZ from all sources.
- (c) The Treasurer shall be responsible for operating the bank accounts along with 2 more signatories in the Bank selected by the Executive Committee.
- (d) The Treasurer shall issue duly signed receipts on behalf of HFNZ for all monies received by him/her.
- (e) It will be Treasurer's responsibility to prepare quarterly accounts and present to the Executive Committee for scrutiny.
- (f) The Treasurer shall prepare and present audited annual accounts at the Annual General meeting.
- (g) The Treasurer shall keep accurate records for all maintenance and incomes from the properties owned by HFNZ.

Article VIII. Registered Office

Section 8.01

The registered office of HFNZ shall be at 57 Hillside Road, Papatoetoe, Auckland 2025. Due notice of every change of office shall be given by the Secretary to the Registrar of the Incorporated Societies.

Article IX. The Seal

Section 9.01

The common seal of HFNZ shall be kept in the custody of the Secretary and shall be affixed to every instrument by resolution of the committee and in the presence of the president and Secretary who shall affix their signatures in witness thereof.

Article X. Rules

Section 10.01

The rules of HFNZ shall be typewritten or printed and together with the certificate of Incorporation kept in the custody of the Secretary. Copies of the rules shall be made available to members on joining HFNZ (or available to members on application).

Section 10.02

No rules shall be altered, amended or rescinded except by a majority of three quarters of members present at a General Meeting, due notice of which has been given.

Section 10.03

No addition to, or alteration of the payments to members clause, or the winding up clause shall be approved without the approval of the Inland Revenue Department.

Article XI. Accounts & Audit

Section 11.01

The treasurer shall keep true accounts of

- (a) Assets of the Society
- (b) All monies received and expended with accurate records and receipts
- (c) The creditors and liability of the Society

Section 11.02 Bank Accounts

- a. The funds of the HFNZ shall be deposited into a bank account of such a bank as decided by the Executive Committee.

- (b) All receipts shall be paid into the bank account at the earliest convenient date after the receipts.
 - b. The bank account shall be operated by three authorized signatories' viz. the President, the Treasurer and the Secretary.

- (d) No member of the HFNZ shall participate in or materially influence any decision made by the Society in respect of payments to, or on behalf of that member or associated person of any income, benefit or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in any arm's length transactions (being the open market value). The provisions and the effects of this clause shall not be removed from this document and shall be included and impaled into any document replacing this document.

Section 11.03

All members shall be entitled to receive a printed copy of the accounts of the Society on application to the Secretary.

Section 11.04

Non-member – not being a financial member of HFNZ shall not be entitled to inspect the accounts of HFNZ unless authorized by a court order.

Section 11.05

The accounts of the HFNZ shall be audited by the Honorary Auditor appointed by the Executive Committee at the Annual General Meeting.

Section 11.06

Copies of the audited account shall be made available to all financial members of HFNZ.

Section 11.07

The Auditor and the Treasurer in conjunction with the Secretary shall be responsible to answer any queries by the members either at the Annual General meeting or by correspondence from the member.

Article XII. Indemnity

- a. A member of the Executive Committee and the officers of HFNZ shall be indemnified by the Society against losses and expenses incurred by him/her in or about the discharge of his duties except if it has happened from his own willful act of neglect or default.
- (b) No member of the Executive Committee or officers shall be responsible for any loss occasioned by any error in judgment or oversight on his/her part or by anything done in the execution of the duties of his office or in relation thereto or otherwise than his own willful act, neglect or default.

Article XIII. Acquisition, Disposal and Control of Real and Personal Property

Section 13.01

The Society shall have the following powers.

- a. To purchase or take on lease or in exchange, hire or otherwise acquire any real or personal property or any rights or privileges in connection therewith and to

hold, improve, manage, develop, let or hire or otherwise dispose of any such property rights and privileges.

- (b) To construct, build, alter, improve, enlarge, pull down, remove or replace any buildings or other improvements which may be in upon and about any of the real leasehold property of the Society.
- (c) To borrow or raise money in such manner as the HFNZ may think fit and to secure the repayments thereof by the issue of debentures or by mortgage or charge upon the whole or any part of the property or assets of the Society (where present or acquired in the future), and to purchase, redeem or pay off any such securities.
- (d) To lend and advance money, to give guarantees, to become surety for payment of monies or the performance of contracts or obligations of the Society.
- (e) To do all or any of the acts aforesaid or exercise all or any of the powers conferred upon the Society jointly with any person, partnership, corporation, company or society (whether incorporated or otherwise) or any contract or obligation in connection therewith.
- (f) Any contract of up to twenty thousand dollars (\$ 20,000.00) and a single payment of \$ 5,000.00 shall be approved by the Executive Committee and ratified by the General Body at the next AGM
- (g) Any income, benefit or advantage must be used to advance the charitable purpose of HFNZ.

Article XIV. Dissolution

Section 14.01

The Society shall not be dissolved or wound-up except by resolution of the members present at a special general meeting. The quorum at such special general meeting shall be 2/3rd of the total financial members.

Section 14.02

Notice of such special general meeting shall be given to the members by posting the notice to their last known address or by electronic mail and by causing such notice to be published at least once

In the daily newspaper circulating in the whole of New Zealand as fixed by the Executive Committee

Section 14.03

In the event of it being resolved to wind up the Society, a committee of seven (7) shall be appointed as follows to act as liquidators.

- (a) Five members shall be elected at the special general meeting to represent the Society.
- b. One member shall be elected an independent chartered accountant to be appointed by the Executive Committee.
- c. One member shall be an independent qualified solicitor who shall be appointed by the Executive Committee.

Section 14.04

The liquidators shall take into their custody or under their control all the property and things in action to which the Society is or appears to be entitled.

Section 14.05

The liquidators shall do such things as may be necessary for winding up the Society and distributing the assets.

Section 14.06

Should there be a surplus of assets after all commitments and liabilities of the Society have been met, they shall be distributed in the manner approved by a special general meeting called for the purpose and applied to an approved charitable organization or society within New Zealand.