



VICTORIAN NAGARATHAR SANGAM AUSTRALIA

ABN: 25 117 264 139

Registration Number A0057638Y

Articles of Association

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Contents

Definitions.....	4
1. Objective	5
2. Purpose of Document.....	5
3. Financial Year	5
4. Membership	6
4.1 Eligibility.....	6
4.2 Enrolment	6
4.3 Membership Fees	6
4.4 Active Members	6
4.5 Founder Members.....	7
4.6 General rights of members	7
4.7 Ceasing membership	7
5. Finance	8
5.1 Source of Funds.....	8
5.2 Management of Funds	8
5.3 Financial records	9
5.4 Auditing.....	9
6. General Meeting.....	9
6.1 Annual General Meeting	9
6.2 Notice for Annual General Meeting	10
6.3 Quorum at Annual General Meeting	10
6.4 Special General Meetings.....	10
7. Committee.....	11
7.1 Composition	11
7.2 Responsibilities	11
7.2.1 General Duties	11
7.2.2 President	11
7.2.3 Secretary	12
7.2.4 Treasurer.....	12
7.2.5 Ordinary Committee member.....	12
7.3 Term of office.....	13
7.4 Nominations	13

7.5 Election.....	13
7.6 Vacation of Office	14
7.7 Remuneration	14
8. Committee meetings	14
8.1 General committee meetings	14
8.2 Urgent Committee meetings.....	15
8.3 Voting.....	15
8.4 Conflict of interest.....	15
8.5 Minutes of Meeting	15
9. Disciplinary procedure	16
9.1 Grounds for taking disciplinary action	16
9.2 Disciplinary subcommittee.....	16
9.3 Notice to Member.....	16
9.4 Decision of subcommittee	16
9.5 Appeal Rights	17
10. Grievance	17
10.1 Application	17
10.2 Appointment of Mediator.....	17
10.3 Conduction of Mediation.....	18
10.4 Failure to resolve dispute by Mediation	18
11. Events & Activities	18
12. Winding up and cancellation.....	19
13. Variance	19
14. Glossary	19

Definitions

1. Committee means the committee of management of the Association
2. **The Act** means the Associations Incorporation Reform Act 2012
3. **Majority**, of the Association, means a majority of the association members entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);
4. **Committee** meeting means a meeting of the Committee held in accordance with these Rules
5. **Committee member** means a member of the Committee elected or appointed as specified in section 7.5
6. **Chairperson**, of a general meeting or committee meeting, means the person chairing the meeting
7. **Financial year** means the 12-month period specified in section 3
8. **Association** or **VNSA** means Victorian Nagarathar Sangam Australia
9. **Office bearers** means the president, secretary and treasurer

1. Objective

The Victorian Nagarathar Sangam Australia (VNSA) was established on 11 Dec 2003, by Melbourne Nagarathar members who felt there was a strong need to unite and promote the cultural identity of all Nattukkottai Nagarathars residing in Victoria state of Australia. The members also wanted to support regular program of learning, assistance, cultural, religious and recreational activities.

The objective of the association is as follows:

1. To be a support group for Nagarathar community residing in Victoria, Australia.
2. To provide support to new Nagarathar immigrants in Victoria, Australia.
3. To promote the traditional values of Nagarathars such as charity, spiritual life and righteousness among children.
4. To offer financial assistance to Nagarathars, specifically for education, marriage and any other welfare needs.
5. To hold events that promote the cultural identity and values of Nagarathar, maintain the rules and regulations of the society we live in.
6. To give back to the Australian community at large whenever the need arises.

2. Purpose of Document

1. This document is a VNSA's interpretation of the Model rules set by Consumer Affairs Victoria

3. Financial Year

1. The financial year of the association is a period of 12 months from January to December.
 - a. Quarter 1: Jan to March
 - b. Quarter 2: April to June
 - c. Quarter 3: July to Sept
 - d. Quarter 4: Oct to Dec

4. Membership

4.1 Eligibility

1. All Victorian Nagarathars and their family members who normally live or intend to live in Victorian state of Australia for a period of at-least 3 months are eligible to become members of Victorian Nagarathar Sangam, Australia.

4.2 Enrolment

1. The prescribed membership form needs to be filled in, for becoming a member of the Sangam. The filled in membership shall be sent to the secretary directly or via any of the Executive Committee members, along with the Membership Fee.
2. As soon as practicable after an application for membership is received, the Committee must decide by resolution whether to accept or reject the application
3. The Committee must notify the applicant in writing of its decision as soon as practicable after the decision is made
4. If the Committee rejects the application, it must return any money accompanying the application to the applicant
5. No reason needs to be given for the rejection of an application

4.3 Membership Fees

1. The annual membership fee for a family is \$50. All unmarried children can be included in the membership of the parents under the family membership category
2. The annual membership fee for an Individual is \$10.
3. For a new member joining in third quarter of the financial year, the first membership fee paid would cover for the subsequent financial year

4.4 Active Members

1. Any member who has paid the membership fee for the financial year would be considered as active member
2. Any member who hasn't paid the membership fee till the end of first quarter, shall be considered as Inactive

4.5 Founder Members

1. The early members for the first year (2003) of forming the association are the founder members of this association.
2. Founder members shall discuss directly with the Executive committee in relation to the operational matters of the association.

4.6 General rights of members

1. The members shall attend any of the event organized by the association
2. The members shall attend and be heard in general meetings
3. Any member above 18 years shall vote in general meetings, provided they are registered for a minimum of 3 months prior to the date of the meeting
4. Any member above 18 years shall nominate themselves, or can be nominated for a position in the committee, provided they are registered for a minimum of 3 months prior to the date of the general meeting
5. They can inspect the registry of members, financial records and other association documents

4.7 Ceasing membership

1. The membership of a person ceases on resignation, expulsion or death
2. A member may resign by notice in writing given to the Association
3. A member is taken to have resigned
 - a. if the member's annual subscription is more than 3 months in arrears
 - b. if the member does not have a valid visa to stay in Australia
 - c. if the member has permanently moved out of Victoria
4. No refund shall be provided upon termination of membership.
5. Membership ceases automatically when:
 - The member does not have a valid visa to stay in Australia.
 - If they fail to pay the membership fee and does not inform the Executive Committee within 3 months from the membership fee due date about their intent to continue as a member.

- The payment should be made within 3 months from the due date. Membership fee is due on Pillaiyar Nonbu function date irrespective of whether a celebration is organized or not. The treasurer shall notify the association members in advance before the due date.

5. Finance

5.1 Source of Funds

1. The primary source of funds for running the association would be the Pullivari (membership fees) collected from the members.
2. The committee can also raise funds through various other means like donations, government grants, raffles and any fund-raising events.
3. Where a religious event is organized, the committee can associate a Yelam (Auction) to raise funds for covering the event expenses or for operational purposes.

5.2 Management of Funds

1. The association shall operate a bank account on its name for managing the funds. The account shall be operated by the Treasurer and any one of the President or Secretary.
2. The executive committee may set a budget at the beginning of every financial year based on their forecast of events for the year.
3. For a given financial year, the committee may expend funds sourced from various means during the financial year in order to meet the objectives of the association
4. Any restrictions on expenditure imposed by an annual general meeting shall apply. Such restriction shall be passed as a resolution during annual general meetings
5. Where funds are raised via Yelam (Auction) the committee can use up to 25% of it for operational expenses, 25% for charity and retain 50% to the reserve. This split serves as a guideline and is only for budgeting purpose. It is up to the discretion of the committee to decide on utilizing the available funds for meeting the objectives of the association.

For example, if the annual membership fees collection is \$4000, and the previous year's revenue from Yelam (auction) is \$8000, then the committee can spend

- a. $\$4000 + 25\% \text{ of } \$8000 = \$6000$ towards operational expenses like event management and any other official expenses
- b. $25\% \text{ of } \$8000 = \2000 towards charity

- c. 50% of \$8000 = \$4000 goes to the reserve
6. The Committee may approve a specified limit of funds up to which the treasurer can expend without the approval of the committee. Such expenses shall be made only for the business purposes of the association.

5.3 Financial records

1. The association must keep financial records for all the transactions, financial position and performance
2. The treasurer must keep in custody or under control the financial records for the current financial year
3. The Committee must also ensure that the requirements under the Act relating to the financial statements of the Association are met
4. If any of the association member wants to view the financial records, the member may request the same in writing to the treasurer and secretary of the association

5.4 Auditing

1. If need arises, the Committee may appoint an unbiased member from the association to go through the financial records and certify them for the benefit of the association members.

6. General Meeting

6.1 Annual General Meeting

1. The Committee must convene an annual general meeting of the Association to be held within 5 months after the end of each financial year
2. The committee may either run the meeting as a separate event or may combine with another.
3. The business of annual general meeting shall be to
 - a. Discuss the action items from the minutes of previous annual general meeting or any general meeting since the previous annual general meeting
 - b. Review the financial report for the recent financial year
 - c. Elect the office bearers and the ordinary members of the committee

6.2 Notice for Annual General Meeting

1. The secretary of the association should notify all the association members at least 14 days prior to date arranged for the annual general meeting
2. For any special resolutions to be made in the annual meeting, the secretary should notify all the association members at least 21 days prior to date arranged for the annual general meeting
3. The notice shall be sent via any digital communication platform and must clearly state the place, date, time and nature of the business to be conducted in the meeting
4. In the absence of secretary, the notice can be delivered by the President.
5. If the Executive Committee desires, a General Body Meeting may be called for, any time, as necessary.

6.3 Quorum at Annual General Meeting

1. No business shall be conducted at a general meeting unless a quorum is present
2. The quorum for annual general meeting shall be considered as a presence of minimum of 30% of members who are eligible to vote during a general meeting
3. In case of any special resolution to be passed, the quorum shall be considered as a presence of
 - a. minimum of 30% of members who are eligible to vote during a general meeting and
 - b. minimum of two persons who have held the positions of officer bearers previously and are not current officer bearers
4. If the quorum is not met within half an hour of the commencement of the meeting, the meeting should be adjourned to a later date with a minimum of 14 days of notice.

6.4 Special General Meetings

1. The committee or the association members can call for a special general meeting on matters that are urgent in nature
2. Where the association members are calling for a special general meeting, request must be made in writing to the President or Secretary of the association.
3. The president or secretary of the association may preside over the special general meeting

4. The quorum for a special general meeting would be considered as a presence of
 - a. minimum of 50% of members who are eligible to vote during a general meeting
 - b. minimum of two persons who have held the positions of officer bearers previously and are not current officer bearers
5. The expense for such meetings would be met by the association

7. Committee

7.1 Composition

1. The committee is composed of following committee members
 - a. President
 - b. Secretary
 - c. Treasurer
 - d. Up to 5 ordinary members

Where the president, secretary and treasurer are the office bearers.

7.2 Responsibilities

7.2.1 General Duties

1. As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.
2. The Committee is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Committee comply with these Rules
3. Committee members must exercise their powers and discharge their duties in good faith and in the best interests of the Association

7.2.2 President

1. The president shall provide guidelines for managing the association and its members
2. The president is the Chairperson for any general meetings and for any committee meetings.
3. In the absence of president, Secretary or Treasurer can preside over the meeting. If none of them are able to preside over, any of the elected members of the association can be the chair person.

7.2.3 Secretary

The secretary of the association must

1. Maintain the registry of members in accordance with the act. The registry should contain
 - a. Name and contact details of the members
 - b. Date of joining/cessation of the members
2. Provide access for the members to view the registry or any other documents of the association. Members should make request in written to the secretary for the same.
3. Ensure all the communication channels are updated with every member details.

7.2.4 Treasurer

The treasurer of the association must

1. Issue receipt to all the payments made towards the association
2. make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds
3. ensure that the financial records of the Association are kept in accordance with the Act
4. coordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the annual general meeting of the Association
5. Ensure that at least one other committee member has access to the accounts and financial records of the Association
6. Notify the members in advance on membership renewals and dues

7.2.5 Ordinary Committee member

The ordinary committee member(s) shall

1. Assist jointly or support the office bearers in their roles
2. Assist in organizing the events of the association
3. Provide technical support where needed

4. Shall provide services for the purpose they have been appointed in accordance with these rules and the act

7.3 Term of office

1. The office term of a committee member is for a period of 2 years
2. A committee member holds office until the positions of the Committee are declared vacant at the next annual general meeting
3. No member shall hold the office of an Executive Committee in any capacity for more than three consecutive terms unless agreed by a resolution in annual general meeting.

7.4 Nominations

1. Prior to the election of each position, the Chairperson of the meeting must call for nominations to fill that position.
2. An eligible member of the Association may
 - a. nominate himself or herself; or
 - b. with the member's consent, be nominated by another member.
3. Notice for nomination should be sent by the chairperson to all members of the association at least 14 days prior to the annual general meeting

7.5 Election

1. Under circumstances when the members cannot unanimously agree on choosing the committee members during the AGM, an election may be called.
2. The need for election may also arise when more than one eligible member is interested in holding the same post within the Executive committee
3. Separate elections shall be conducted to appoint the office bearers (president, secretary and treasurer)
4. A single election may be held to appoint all the ordinary members
5. The annual general meeting must by resolution decide the number of ordinary members of the Committee (if any) it wishes to hold office for the next year.
6. If the number of the ordinary members remain unchanged from previous term, a new resolution is not required

7. A committee member may be re-elected for next term
8. In a family membership, both husband and wife are eligible for one vote each
9. The individual member is eligible for one vote

7.6 Vacation of Office

1. A committee member may resign from the Committee by written notice addressed to the Committee
2. A person ceases to be a committee member if he or she ceases to be a member of the Association
3. If the position of any of the office bearers becomes vacant, the committee shall appoint a member within 14 days from the date of vacancy
4. If the position of any of the ordinary member becomes vacant, the committee can either appoint a new member or wait until the next annual general meeting
5. The Committee may continue to act despite any vacancy in its membership

7.7 Remuneration

1. All the positions in the committee are voluntary
2. No remunerations shall be paid in any form to the committee members
3. The association shall pay its members reimbursement for expenses properly incurred by them or for goods supplied and services provided by them, if this is done in good faith on terms no more favourable than if the member were not a member

8. Committee meetings

8.1 General committee meetings

1. The committee meetings must be held at a place and time agreed by majority of the committee members
2. A minimum of 2 days of notice should be given to the members for any committee meetings

3. Any 4 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee
4. Meeting shall be presided over by the president or secretary in his or her absence. In both are unable to preside the members present must choose one of them to preside.

8.2 Urgent Committee meetings

1. In cases of urgency, a meeting can be held without notice being given in accordance with 8.1 subrule 2, provided as much notice as practicable is provided
2. The only business that may be conducted at an urgent meeting is the business for which the meeting is convened
3. Any resolution made at the meeting must be passed by an absolute majority of the Committee

8.3 Voting

1. On any question arising at a committee meeting, each committee member present at the meeting has one vote
2. A motion is carried if a majority of committee members present at the meeting vote in favour of the motion
3. If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote

8.4 Conflict of interest

1. A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
2. The member
 - a. must not be present while the matter is being considered at the meeting; and
 - b. must not vote on the matter.

8.5 Minutes of Meeting

1. The Committee must ensure that minutes are taken and kept of each committee meeting.
2. The minutes must record the following
 - a. the names of the members in attendance at the meeting

- b. the business considered at the meeting
- c. any resolution on which a vote is taken and the result of the vote

9. Disciplinary procedure

9.1 Grounds for taking disciplinary action

1. The Association may take disciplinary action against a member in accordance with this Division if it is determined that the member
 - a. has failed to comply with these Rules; or
 - b. refuses to support the purposes of the Association; or
 - c. has engaged in conduct prejudicial to the Association

9.2 Disciplinary subcommittee

1. If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
2. The members of the disciplinary subcommittee—
 - a. must contain at least one member from the committee
 - b. must contain at least one association member who is not part of the committee
 - c. may contain one or more founder members
 - d. must not be biased against, or in favour of, the member concerned.
3. The number of members in the disciplinary committee shall be decided by the committee

9.3 Notice to Member

1. Before disciplinary action is taken against a member, the Secretary must give written notice to the member stating
 - a. that the Association proposes to take disciplinary action against the member
 - b. the grounds for taking that action
2. The notice must be delivered to the member at least 7 days prior to the date when the disciplinary meeting is held

9.4 Decision of subcommittee

1. At the disciplinary meeting, the disciplinary subcommittee must
 - a. give the member an opportunity to be heard; and
 - b. consider any written statement submitted by the member

2. After complying with subrule (1), the disciplinary subcommittee may
 - a. take no further action against the member; or
 - b. suspend the membership rights of the member for a specified period; or
 - c. expel the member from the Association
3. The decision is effective from the date the decision is made by the sub committee

9.5 Appeal Rights

1. A person whose membership rights have been suspended or who has been expelled from the Association under rule ? may give notice to the committee that he or she wishes to appeal against the suspension or expulsion
2. Such notice should be made in written to the Secretary of the association
3. A disciplinary appeal meeting shall be formed in accordance with the rules stated under 9.1
4. A minimum of 14 days notice should be served to everyone attending the appeal meeting
5. The secretary or the chairperson of the meeting shall record the decision in the meeting minutes

10. Grievance

10.1 Application

1. The grievance procedure set out in this Division applies to disputes under these Rules between
 - a. a member and another member;
 - b. a member and the Committee;
 - c. a member and the Association.
2. A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed

10.2 Appointment of Mediator

1. The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party
2. If the parties to a dispute are unable to resolve the dispute between themselves within the time as stated above in subrule (1), the parties must within 14 days
 - a. notify the Committee of the dispute

- b. agree to or request the appointment of a mediator
 - c. attempt in good faith to settle the dispute by mediation
3. The mediator must be
- a. a person chosen by agreement between the parties; or
 - b. in the absence of agreement
 - i. if the dispute is between a member and another member - a person appointed by the Committee; or
 - ii. if the dispute is between a member and the association - a person appointed or employed by the Dispute Settlement Centre of Victoria
4. A mediator appointed by the Committee shall be a member of the association who
- a. Has no personal interest in the dispute
 - b. Is not biased towards any party

10.3 Conduction of Mediation

1. The mediator to the dispute, in conducting the mediation, must
 - a. give each party every opportunity to be heard; and
 - b. allow due consideration by all parties of any written statement submitted by any party; and
 - c. ensure that natural justice is accorded to the parties throughout the mediation process.
2. The mediator must not determine the dispute.

10.4 Failure to resolve dispute by Mediation

1. If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law

11. Events & Activities

1. The association may conduct various events throughout the financial year to meet the objectives as stated under section 1.
2. The celebration of 'Pillaiyar Nonbu' is considered to be a special occasion for the Nagarathars worldwide. The association shall give at most importance for organizing this event annually
3. All events conducted by the association are generally of safe nature, however every member of the association who take part in the events are responsible for themselves

4. The committee may charge a fee for participating in any of the events in order to meet the expenses
5. The events shall be planned on a date and time that is convenient to majority of the association members

12. Winding up and cancellation

1. The Association may be wound up voluntarily by special resolution.
2. In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.
3. Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.
4. The body to which the surplus assets are to be given must be decided by special resolution.

13. Variance

1. This document can be amended or appended when need arises by the committee members. This will be done so with the unanimous agreement by the majority of association members by passing a resolution in annual general meeting.

14. Glossary

Majority of Group Members	At least 50% of the registered group members.
Nagarathar(s)	The Nagarathars are a Chettiar Community that originated in Kaveripoompattinam under the Chola kingdom of India . They are a prominent mercantile caste in Tamil Nadu, South India. Now spread around the globe.
Chettiar(s)	The Chettiars in this document refers to Naatukkottai Chettiars another name for Nagarathars as defined above.

Chettinad	Native place of Nattukottai Chettiars or Nagarathars.
Term	Normally two years. Period during which the chosen executive committee mind the Victorian Nagarathar Sangam Australia office.
Deepavali	Hindu Festival
Yelam	Any auction that is association with a religious event for raising funds

Document Control:

Version	Author	Date	Description
1.0	Arun Ayyappan	25 rd May 2012	Initial Version.
1.1	Arun Ayyappan	7 th August 2012	Added New Member addition Process.
1.2	Arun Ayyappan	20 th Nov 2012	3.b Membership Fees addition of Exception. Addition of Section 8. Annual Term and Financial Year.
1.3	Prabhakaran Sathappan	18 March 2016	Section 3.0 b) - Annual Membership fees updated to reflect current fees.
1.4	Karthick Palaniappan	02 Jan 2023	Updated the following i. Amended the membership fees for families to \$50 and individuals to \$10 ii. Introduced section Fund Management iii. Removed the clause from founder members where one of the founder members need to be part of the executive committee every term iv. Removed the clause where one of the previous committee members need to continue in the next term v. Removed the generic committee member role
1.5	Karthick Palaniappan	01 Feb 2023	Aligned the article of association to be compliant with the incorporation act, with reference to the model rules published.
1.6	Karthick Palaniappan	13 March 2023	Incorporated feedback from association members for the version 1.5

