



**CONSTITUTION  
OF  
NON-RESIDENT NEPALI ASSOCIATION  
CO-ORDINATION COMMITTEE AUSTRALIA INCORPORATED**

**March 2005**



## CONSTITUTION OF

### NON-RESIDENT NEPALI ASSOCIATION CO-ORDINATION COMMITTEE AUSTRALIA INCORPORATED

#### Preliminary

##### 1. Definitions

###### 1.1 In these rules:

**Association** means the **Non-Resident Nepali Association Co-ordination Committee Australia Incorporated in NSW.**

**Ordinary member** means a member of this organization who is not in executive position.

**Annual General Meeting** means a general meeting of the association where the registered members have right to vote and to be the candidate of NCC Executive Members and ICC Representatives.

**Special general meeting** means a general meeting of the association other than the annual general meeting.

*The constitution means* the constitution of **Non-Resident Nepali Association Co-ordination Committee Australia Incorporated in NSW. Committee means the executive committee.**

*The Act* means the *Associations Incorporation Act 1984.*

*The Regulation* means the *Associations Incorporation Regulation 1999.*

##### 2. Name, Scope and Effective Date:

**Preamble:** This constitution has been adopted to establish the objective, the rules and procedures of the Non-Resident Nepali Association Co-ordination Committee Australia.

**2.1 Name** - The name of the association shall be **Non-Resident Nepali Association (NRN) Co-ordination Committee Australia**

**2.2 Scope** – This constitution shall govern the conduct of all the activities of the NRN-CC Australia. The NRN-CC Australia shall operate in the territory of Australia. It will operate as a not-profit making organization. Its members can participate in other countries to meet the objectives of the Association and on the formal decision of the Executive Committee.

**2.3 Effective date**– This constitution shall be effective from the date of the registration on 21 February 2005 in Australia.

##### 3. Objectives

3.1 The NRN – CC Australia associated with the NRN ICC (International Co-ordination Council) and aims to support its objectives by organizing and managing programs in Australia.

3.2 The objectives of this Association shall be to contribute to the economic, social and cultural development of Nepal by Non-Resident Nepali (NRN) community living in Australia. The motto of the Association

shall be **BY NEPALI FOR NEPALI**. To meet the objective NRN – CC Australia shall play the role of facilitator and organizer of the programs that supports:

- Promote Nepal in Australia.
- Facilitate and attract NRN and foreign investment in Nepal;
- Strive to create conditions conducive to investment by the NRN in Nepal and the utilization in Nepal of the talents and skills of the NRN;
- Foster closer co-operation among the NRN communities scattered in Australia
- Serve as a national forum for the promotion and protection of the interests of the NRN both in Nepal and Australia.
- Network with the different organizations in Australia and other NCCs around the world for cooperation and coordination.

#### 4. Membership

4.1 NRN refers to both people of Nepali origin who have acquired foreign citizenship and people of Nepali origin who currently hold Nepali passport but who have lived outside Nepal including Australia for a minimum period of 183 days in a year. There will be two types of memberships. Ordinary membership open to all NRNs and Registered members with voting rights, who are registered with NCCs and will be able to contest for elective positions.

4.2 Nepali citizen holding position in the Resident Mission of Government of Nepal (G/N) shall not be covered by this statute.

4.3 There shall be (a) ordinary, (b) associate and (c) registered members of the association.

- (a) **Ordinary members:** Ordinary members of the Association shall be NRN as described in 4.1
- (b) **Associate Members:** Associate members shall be the people of foreign origin with an interest in promoting and helping Nepal.
- (c) **Registered Member:** Registered members of the Association shall be NRN as described in 4.1 with voting right and will be able to contest for elective positions of NRN Australia Executive Members and ICC Representatives.

4.4 The association shall issue registered membership upon meeting criteria of NRN upon submission of duly filled application form prescribed by the Association.

4.5 (1) A nomination of a person for membership of the organization:

- (a) must be made by a person in writing in the form set out
- (b) must be lodged with the secretary of the association.

4.5 (2) As soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or to reject the nomination.

4.5 (3) As soon as practicable after the committee makes that determination, the secretary must:

- (a) notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and
- (b) if the committee approved the nomination, request the nominee to pay (within the

period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as entrance fee and annual subscription.

4.6 (4) the secretary must, on payment by the nominee of the amounts enter the nominee's

#### **5. Cessation of executive membership**

A person ceases to be an executive member of the association if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the association.

#### **6. Membership entitlements not transferable**

#### **7. Resignation of membership**

1) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may stop or discontinue membership of the association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

#### **8. Register of members**

(1) The secretary of the association must establish and maintain a register of members of the organization specifying the name and address of each person who is a member of the association together with the date on which the person became a member.

(2) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.

#### **9. Members' Liabilities**

The liability (if any) of members of the NRN CC Australia to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association.

#### **10. The Funds of the Association**

##### **10.1 Source of fund –**

Activities of the association shall be financed from the funds received from following sources:

- Donation,
- Savings generated from the implementation of its programs, and
- The voluntary contributions received from members.

##### **10.2 Management of the Funds**

1. Any amount received by the Association shall be deposited in the bank designated by the Executive Committee (Excom). Normally all transactions shall be carried out through bank.

The Treasurer and the President of the Association or office bearer designated for this purpose by the President shall sign jointly operate the bank account.

2. The Treasurer shall maintain appropriate records of all funds received, expenditures in curred and balance. The Treasurer shall furnish the statement of income and expenditure to the Annual General Meeting (AGM).
  3. The Executive Committee (Excom) shall have power to direct or approve the expenditure from the fund in accordance with this statute and in the best interest of the NRN- CC Australia.
  4. The fund of the association shall be held in the bank account designated by the Excom. Expenditure from the fund shall be incurred with the joint signature of at least two members of the Excom (President or designate and Treasurer).
- 10.3 The officers of the Association shall comply with the accounting and audit requirements of the law of Australia where the Association has its registration relevant to the income/expenditure level of the Association, with regard to the keeping of accounting records of the Association.
- (a) The preparation of Annual Financial Statements for the Association;
  - (d) The auditing or independent examination, of the financial statement of the Association; and the preparation of the annual report and the sending of it together with the financial statement of an appropriate appointed official agency.

## **11 Composition of the Executive Committee and duties of the Office Bearers**

**11.1 Executive Committee (Officials & Members)** - There shall be Executive Committee (Excom) to manage day-to-day business of the association (6 officials & 515 Members). The Excom shall comprise maximum of 21 members as follows.

1. President	1
2. Vice-Presidents	2
3. National Co-ordinator (serves as Secretary-General)	1
4. Joint National Co-ordinator (serves Deputy-Secretary-General)	1
5. Treasurer	1
6. Members (representing Nepali residing various parts of (name of country))	5-15
<b>Total</b>	<b>11-21</b>

**11.2 Functions of the Executive Committee (Excom)** - The Excom is the main body of the Association. The major functions of the Excom shall be as follows.

- a) To prepare policy and program of the Association and submit to the Annual General Meeting (AGM).
- b) To constitute committees and sub-committees to perform specific tasks as decided.
- c) To review activities of the Association and adopt appropriate actions.
- d) To review the operation and management of fund.
- e) To establish working relationship and contact with other organizations for the interest of the Association.
- f) To establish work procedures of the Association and committees and sub-committees.
- g) To perform any other tasks that may deem necessary to meet the objectives of the Association.

**11.3 Duties of Office bearers** – The duties of the office bearers of the Excom shall be as follows.

**11.3.1 President** - The President shall function as the Chief Executive Officer (CEO) and preside all meetings of the Association. He/she shall maintain contact with external parties (national and international authorities, institutions and individuals) to achieve the objectives of the Association, liaise with the ICC of the NRN, advise Co-coordinator to hold the AGM and Excom meetings, keep oversight of the functions of other office bearers, appoint committees to in agreement with the Excom members.

**11.3.1.1** The president shall nominate up to 3 executive members where required not exceeding the total number of 15.

**11.3.2 Vice-Presidents** – The Vice Presidents’ (VPs) main responsibility shall be to support the President in discharging his/her responsibilities, preside the meeting of the Association in his/her absence and perform any task delegated by the President.

**11.3.3 National Co-coordinator (NC)** - The NC shall keep the records of all official documents of the Association including the list and contact address of all members and shall perform such other duties as may be assigned to him/her by the Excom or by the President. The NC shall be responsible to call the Excom and all other meetings, consolidate agenda for the meetings, maintain minutes of the meetings and advise all office bearers of the minutes.

**11.3.4 Joint National Co-coordinator (JNC)** - The JNC shall support the NC in discharging his/her responsibilities.

**11.3.5 Treasurer** - The Treasurer shall receive donations, contributions from members and external parties. He/she shall be custodian of the funds of the Association and shall invest and/or disburse them subject to the rules and/or as decided by the Excom.

**11.3.6 Members** – Members shall support in implementing the programs of the Association, attend meetings and perform tasks assigned by the Excom.

The Excom members shall also perform any duties requested by the NRN in line with the objective of the Association.

**11.4 Patrons, Honorary Members and Advisors** - The NRN – CC Australia may from time to time decide to appoint people of high standing or those with a long and/or outstanding record of contribution to the development of Nepal or any other person deemed deserving by the Excom as patrons, honorary members and advisers of the Association. However, the number of advisors may not exceed 3 at one time. Advisors shall be invited to attend Excom meeting, express their opinion, offer advice but shall have no voting power.

**11.4.1** The executive committee shall nominate the “Registered Nepali Associations” in Australia as patrons of NRN-CC. In such circumstances, the relevant organizations will be requested to nominate a regular person as representative on NRN-CC affairs.

**11.5 Provision to fill vacancies** - In case of vacancy arising in the Excom prior to the normal tenure of the Excom, the President in consultation with the Excom members shall nominate members to fill the position until next election is held.

## **12. Election Procedure**

12.1 Officers of Excom shall be elected for 2 (two) years only, but shall be eligible for re-election. The tenure shall start from the date of declaration of election result.

12.2 The President of the Association shall not be eligible for re-election to the same position for more than three consecutive terms.

12.3 The election of the Excom members shall take place among the members in attendance at the Annual General meeting.

12.4 Ordinary members shall elect officials by majority.

12.5 When there are at least 10 Ordinary Members of the Association residing in a particular region shall have the right to represent one executive member but not exceeding the total number of members as stated in clause 5.1.

12.6 Excom shall constitute an Election Committee of maximum five members from among the ordinary members. Members of the Election Committee shall have no power to be candidate, but the newly elected president shall nominate them as executive members or advisors where appropriate. The Election Committee shall decide its own procedure to hold elections.

## **13. General Meeting and Special General Meeting**

13.1 The President shall summon the Annual General Meeting (AGM). Normally, the time gap between AGM shall not be more than twelve months.

13.2 The President shall have the power to convene a Special General Meeting (SGM) whenever he/she may deem it advisable to do so on being thereto requested in writing by 51 percent ordinary members specifying the reason to hold such meeting.

## **14. Business of the General Meeting**

14.1 The business as the AGM shall include, unless the otherwise decided –

(a) An appropriate welcome address

(b) Apologies for absence

- (c) Minutes of the last general meeting
- (d) Specific agenda items

**15. Expulsion**

Any member of the association who may be guilty of any conduct which in the opinion of the Excom renders her or his membership detrimental to the interests of the association may be requested to resign, if refuses to do so, may be expelled, by a resolution of the Excom, subject to an opportunity being given to him or her to explain him or her conduct. Any such resolution shall require a majority of not less than two-thirds of the Excom members present and voting.

**16. Alterations**

Any of these rules may be rescinded or amended by the resolution passed at any AGM or SGM of the Association by a two-thirds majority of the Ordinary Members present and voting. The notice of such resolution, stating the nature of the proposed alteration and the names of the proposer and secondor, should reach the members at least fourteen days before the date fixed for such meeting. Such alterations shall be valid with simple majority vote.

**17. Accepting financial and other support**

- 17.1 No member of the Association may receive any financial and other support from any person or organization without prior approval of the Excom.

**18. Co-operation with other Nepalese Organizations**

- 18.1 The Association will co-ordinate with other Nepalese associations in different parts of Australia to achieve its objectives.

**19. Dissolution**

The Association may be dissolved or disbanded by a resolution passed at any AGM or SGM of the Association by a two-thirds majority of the Ordinary Members present and voting. However, such resolution will not become effective until one year the adoption of such a resolution and approve by the Office of Fair Trading NSW.

**20. LOGO**

The Association has its own logo “NRN logo with the wording Non-Resident Nepali Association – CC Australia”.

**21. Power to resolve unforeseen issues**

21.1 In case this statute did not address specific issue that may arise in future, the Excom shall have the power to adopt appropriate procedure and policy in the interest of the Association.

21.2 Such matter shall be presented to forthcoming AGM or SGM for decision and if not approved shall be void and null.

**22. Applicable Law**

The governing law of Australia and the Government of Nepal shall apply to the matters relating to the NRN – CC Australia in operating its program in Australia and Nepal respectively.

**Appendix 1**  
**(Rule 3 (1))**

# NRN Australia Registered Membership Form

**JOIN NOW**  
**Application for Membership or Renewal**

To support NRN movement, please print out this application form, fill it in, and post it with your cheque or money order or pay by net bank to:

**The Membership Coordinator**, PO Box 589, Ashfield NSW 2131, Australia

Or submit online at [www.nrn.org.au](http://www.nrn.org.au)

Thank you for your support!

**PLEASE USE BLOCK LETTERS**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Annual Membership Categories**

**PLEASE TICK WHICHEVER CATEGORY IS APPLICABLE**

- |  |   |
|--|---|
| <input type="checkbox"/> \$20 Two years for Single   | <input type="checkbox"/> \$40 Four years for Single   |
| <input type="checkbox"/> \$30 Two years for Family # | <input type="checkbox"/> \$50 Four years for Family   |
| <input type="checkbox"/> \$10 Two years for Students | <input type="checkbox"/> \$20 Four years for Students |
| <input type="checkbox"/> Donation \$ _____           |   |

I enclose my cheque, money order, or net bank payment for \$ \_\_\_\_\_ payable to NRN Australia.

Please tick:

- Cheque

Money Order

Net Bank

Name of account: NRN Australia  
BSB:032006  
Account No: 307982  
Bank: Westpac

Signature: \_\_\_\_\_  
Date:

ABN 29 136 322 598

**If you tick the family, please fill the following details:**

Name of spouse:

Name of children 18 yrs or over

- 1.
- 2.

Proposed by (Please leave blank):

Supported by (Please leave blank):

Date of approval:

Approved by:

Member from ---/---/----- to ----/----/-----

Membership No.

**Notes:**

**# Who is a Family?**

A family can be:

- Your spouse - married or de facto
- A child – including your stepchild or adopted child – who is over 18 years old

**What is maintaining a family?**

You maintained a family if:

- You and your family lived in the same house
- You gave your family food, clothing and lodging or
- You helped them to pay for their living, medical and educational costs

**Appendix 2**  
**(Rule 3 (1))**

**FORM OF APPOINTMENT OF PROXY**

I, .....  
(Full name)

of .....  
(Address)

being a member of Non-Resident Nepali Association Co-ordination Committee Australia...

hereby appoint .....  
(Full name of proxy)

of .....  
(Address)

being a member of that incorporated association, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or special general meeting, as the case may be) to be held on the.....day of.....and at any adjournment of that meeting.  
(Month and year)

\* My proxy is authorized to vote in favor of/against (delete as appropriate) the resolution (insert details).

\* *To be inserted if desired.*

.....  
Signature of member appointing proxy

Date: