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**UNITED SRI LANKAN MUSLIM ASSOCIATION  
OF AUSTRALIA INC (*USMAA*)**

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**CONSTITUTION AND RULES**

**Amended at the AGM on 06-07-2013**

**REGISTRATION NUMBER: A0025820M**

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# CONSTITUTION AND RULES

## Preamble

The United Sri Lankan Muslim Association of Australia shall seek to maintain and foster the Islamic faith and culture while making all endeavours to integrate with the wider Australian community and to sustain good relations with Sri Lanka.

## 1. Name

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The name of the organisation shall be United Sri Lankan Muslim Association of Australia, Inc (USMAA).

## 2. Type of Organisation

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The Association shall be a non-profit making religious and humanitarian society dedicated to the promotion of the Islamic religion, culture, principles and the welfare of Sri Lanka-Australian Muslims.

## 3. Composition

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All persons who belong to the Sri Lanka-Australian Muslim Community resident in Australia shall be eligible for Membership of the Association.

## 4. Definitions

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In these Rules:

**Islam** shall mean the faith enunciated in the Holy Quran.

A **Sri Lanka-Australian** shall mean a person of Sri Lankan origin or descent residing in Australia

**Executive officers** and **Executive** shall mean the President, Vice-President, Treasurer and Secretary duly elected in accordance with these Rules.

**Member** shall mean a Member of the Association whose name is entered in the Registrar.

**Financial Member** – a Member shall be financial only if he has paid all subscriptions fixed for his category of Membership.

**Officer** shall mean any full Member elected or appointed to and holding office in the Association, whether honorary or salaried, and shall include Executive Officers, Committee Members and Trustees.

**Committee** shall mean the Committee of Management/Executive Committee of the Association as defined in the Rules.

**Basic tenets of the Islamic Faith** shall include belief in Allah, and teachings of Islam and acceptance of Islam as the only source of faith.

**Rules** shall mean the Rules of the Association which are in force from time to time.

**Association** and **the Association** shall mean the United Sri Lankan Muslims Association in Australia.

**Register** shall mean the Register of Members kept by the Secretary in accordance with the Rules.

**Day** shall mean a calendar day.

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**Words importing the singular** only shall include the plural.

**Words importing the masculine gender** shall include the feminine gender.

**Relief Fund** shall mean a collection of money for a specific purpose including emergencies.

**Janaza Fund** is a sum of money allocated principally for the purchase of Muslim burial sites.

**JSC:** Janaza Sub Committee

**SCSC:** Senior Citizens Sub Committee

**YSC:** Youth Sub Committee

**ESC:** Education Sub Committee

**QSC:** Qiraath Sub Committee

## **5. Objectives and Powers**

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The objectives and Powers of the Association shall be:

- (a) To promote and foster the teachings and practices of Islam and its associated culture.
- (b) To promote all matters concerning the spiritual, social and cultural well-being of Sri Lanka-Australian Muslims.
- (c) To enable members of the association to contribute to the advancement of Australia in all spheres of life.
- (d) To promote and maintain unity and friendship among the Muslims and between them and other communities in or outside Australia.
- (e) To promote cooperation between the Association and all organisations promoting similar objectives.
- (f) To celebrate the special events in the Islamic calendar inclusive of the two festivals: Eid ul Fitr (Ramadan) and Eid ul Azha (Hajj).
- (g) To advocate and make representations on behalf of Sri Lanka-Australian Muslims on all matters affecting their:
  - (i) religious, social, cultural and educational welfare; and
  - (ii) human rights and fundamental freedoms.
- (h) To establish funds for the general conduct of the Association including a Janaza Fund and relief funds.
- (i) To produce and distribute literature for the benefit of its members and contribute and subscribe to journals of other organisations and bodies.
- (j) To establish and manage a Muslim community centre.
- (k) To purchase, sell, mortgage, lease or otherwise deal in real and personal property of all kinds for the advancement of these objectives.
- (l) To appoint and employ officers, solicitors, accountants, auditors and other functionaries considered necessary for furthering the objectives of the Association and

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to pay such salaries, fees and allowances to persons so appointed for services actually rendered irrespective of such persons being members of the Association.

- (m) To amalgamate with, or absorb, any organisation with objectives substantially similar to the objectives of this Association.
- (n) To establish and manage trusts for the purpose of holding and safeguarding the capital assets of the Association.
- (o) To do all such things as the Association may from time to time deem incidental or conducive to the attainment of the above objectives consistently with the principles of Islam.

## 6. Registered Office

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The registered office of the Association shall be at a place the Committee of Management.

## 7. Membership

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### 7.1 Category of Members

There shall be four types of Members:

- (a) **Founder Members:** Members who attended and submitted applications to join as Members at the Founders Meeting held on 5 Jumadiaath Thani Hijra 1411 (22 December, 1990).
- (b) **Full Members**
  - (i) **Ordinary Members:** Any Sri Lanka-Australian Muslim above the age of 18 shall be an ordinary Member upon payment of an annual subscription of such amount as the Association may from time to time prescribe.
  - (ii) **Family Members:** Any family where either spouse is a Sri Lanka-Australian Muslim and their children under the age of 18 shall be Members as a family group upon payment of an annual subscription for a family group as is prescribed from time to time by the Association.
  - (iii) **Pensioners**
- (c) **Student Members:** Sri Lanka-Australian and Sri Lankan Muslim students living in Australia shall be classified as student Members.
- (d) **Affiliate Members:** Any person interested in Islam, Islamic culture, Islamic teaching or Sri Lankan Muslim affairs may be accepted as an affiliate Member upon payment of an annual subscription of such amount as the Association may from time to time prescribe.

Notwithstanding any of the above, all Membership applications shall be on the prescribed forms, nominated and seconded by two financial Members and is subjected to the approval of the Executive Committee.

### 7.2 Voting rights

The following are eligible to vote:

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- a) Founder members who are financially current.
  - b) All Full members and Student members who are financially current and above the age of 18 years as of 1<sup>st</sup> July of the election year and have been members of the association for a minimum of six months prior to 1<sup>st</sup> July are eligible to vote.
  - c) No Member is entitled to vote by proxy at any meeting of the Association.

## **8. Resignation from Membership and termination of eligibility**

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- 8.1 A Member shall be no longer eligible for Membership of the Association when he is prevented by any condition of eligibility for Membership of the Association from continuing to be a Member.
- 8.2 A Member may resign from Membership of the Association. He shall thereupon forthwith return any property of the Association in his possession and any moneys owing to the Association. Such moneys owing shall be recoverable as a debt due.

## **9. Termination of Membership**

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- 9.1 A Member shall cease to be a Member when he is no longer eligible for Membership.
- 9.2 The Secretary shall promptly notify such person (where practicable) of the termination of his Membership stating the date thereof and the reason therefore and the amount and nature of any debts owed by him to the Association. The notification shall be made by letter and sent by certified mail, to the last known address of the Member as shown by the Registrar.

## **10. Register of Members**

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The Secretary shall keep in his/her custody a Register of Members showing the names and addresses of all officers and Members of the Association. The Register shall be kept up to date and available for production to any Officer or Member of the Association.

## **11. Management**

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The management of the Association shall be vested in an Annual General Meeting and a Committee of Management. The Annual General Meeting and the Committee shall carry out such functions as shall be prescribed by these Rules.

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## **12. Annual General Meeting**

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- 12.1 An Annual General Meeting shall be held by the Association once every year, in July at a time and a place decided by the Committee. The Annual General Meeting while in session shall govern, manage and conduct the affairs of the Association and shall have power subject to these Rules to:
- (a) Make, repeal, amend and/or add to these Rules by a resolution passed by a majority of not less than three-fourths (3/4) of such Members of the Association being entitled to vote and physically present.
  - (b) Receive and adopt a statement of income and expenditure and an audited balance sheet as at 30 June each year being an audit conducted by a qualified auditor at that meeting.
  - (c) Determine any matter referred to it by the Committee.
  - (d) Review the acts and decisions of the Committee.
  - (e) Do all other acts and things which are not by these Rules specifically directed to be done by any other person or body, and which in the opinion of the Annual General Meeting are in the interest of the Association or in the interests of Members or persons eligible to be Members.
- 12.2 Notice of the Annual General Meeting shall be given by the Secretary by posting to or leaving for each Member at his postal address for service of notices as shown in the Register, written notice of the time, date and place of the Meeting, at least 14 days prior to the holding thereof. The publication distributed to each Member so as to be received in the normal course of post within the specified time, shall be deemed and held to be adequate notice for the purpose of this sub-rule.
- 12.3 The Secretary shall include in the notice of the Annual General Meeting such notices of the intention to amend, repeal or add to the Association Rules as shall be received by the Secretary, as stipulated in Articles 17c, to permit inclusion in the said notice.
- 12.4 All acts and decisions of the Annual General Meeting, unless contrary to these Rules, shall be binding on all Members.

## **13. Special General Meeting**

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- 13.1 The Secretary shall convene a Special General Meeting of the Association:
- (a) When the Committee so resolves.
  - (b) When a meeting is requisitioned in writing by not fewer than 25 financial Members and in each case such requisition shall be addressed to the President or Secretary and shall set out the reasons for requiring such meeting.
  - (c) When so resolved by an Annual General Meeting or a Special General Meeting of the Association.

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- (d) The time and place of Special General Meetings shall be decided by the Committee, or in cases of urgency, by the Executive, provided that when a meeting has been requisitioned for in accordance with the previous sub-rule, it shall be convened by the Secretary within twenty-eight days of the requisition reaching the President or Secretary.
  - (e) Notice of the Special General Meeting shall be given by the Secretary by posting to or leaving for each Member at his postal address for service of notices as shown in the Register, a written notice stating shortly the nature of the business to be transacted and of the time, date and place of the Meeting, at least 14 days prior to the holding thereof. The publication of the necessary information in a journal of the Association distributed to each Member so as to be received in the normal course of post within the specified time, shall be deemed and held to be adequate notice for the purpose of this sub-rule.
  - (f) No business shall be transacted at a Special General Meeting unless notice thereof has been given in accordance with these Rules.
  - (g) A special General Meeting shall have powers equal to those of Annual General Meeting in transaction all business, the nature of which has been outlined in the notice of the meeting.

## **14. Committee**

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- 14.1 A Committee of Management consisting of no fewer than six and no more than eleven Committee Members elected by the Members as hereinafter provided, shall take office on the first of July and shall hold office for one year and thereafter until the new Committee is appointed.

A committee member shall not hold office in any other organisation whose objectives are in conflict with those of USMAA. The Executive Committee shall decide whether such a conflict exists.

An Annual General Meeting will be called in accordance with 12 above and held in the month of July– yearly – specifically to elect the new Committee and to transact other business as detailed in the notice of that Annual General Meeting.

No person will be eligible to be elected to the Committee unless he has been a full financial Member of the Association at least six months prior to 1<sup>st</sup> July each year, or Founder Members who are financially current.

- 14.2 Except when the Annual General Meeting or a Special General Meeting is in session, to manage the affairs and conduct the business of the Association, to administer the Rules and to do all acts or things as the Annual General Meeting is empowered to do unless specially prohibited from so doing by the General Meeting.

To carry out such specific duties as are delegated to it by the Annual General Meeting or by a Special General Meeting.

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To submit to the General Meeting such reports, returns and other information as the Rules may require.

To authorise such expenditure or moneys from the Association Funds as may be necessary for the conduct of the affairs of the Association.

To employ such persons as deemed necessary in the service of the Association and to terminate the service of such persons.

- 14.3 The Committee shall meet as often as is necessary to transact the business of the Association, and at least once a month for a minimum of eight months per year, and at such other times as the President or the Association in General Meeting shall direct, or when three or more Committee Members notify the Secretary or the President that they desire a meeting to be held. The Secretary shall post to each Member of the Committee to his postal address for service of notices as shown in the Register at least seven days before the time of meeting, a notice of such meeting of the Committee, provided that if in the opinion of the President a meeting of the Committee should be summoned in emergency, notice may be served by telephone or such other means and such notice as the President shall direct.
- 14.4 No Member of the Management Committee shall be appointed to any salaried office of the Association or to any office of the Association paid by fees and no remuneration or other benefit in money or moneys worth shall be given by the Association to any Member of the Management Committee except repayment of out-of-pocket expenses.
- 14.5 The existence of the five Sub-Committees known as the Janaza Sub Committee(JSC), Youth Sub Committee (YSC), and the Seniors Citizen's Sub Committee(SCSC), Education Sub Committee (ESC) and Qiraath Sub Committee (QSC), already functioning under the supervision of the Committee of Management is hereby confirmed. The composition and terms and conditions governing each of these subcommittees shall be determined by the Association by special resolution adopted at a general meeting. The Committee of Management is empowered to establish other Sub-Committees to help in carrying out certain activities or functions, and no Sub-Committee will be established without the sanctioning of the Committee of Management.
- 14.6 The decision to establish a Sub-Committee will be minuted and will detail the purpose of the Sub-Committee and its scope of operation.
- 14.7 No Sub-Committee will operate outside the parameters sanctioned by the Committee of Management, and no Sub-Committee will have any powers exceeding those conferred upon that Sub-Committee by the Committee of Management.
- 14.8 The Committee of Management may allocate sufficient funds to any Sub-Committee to be used by that Sub-Committee in carrying out its activities or functions.
- 14.9 All Sub-Committees will be accountable to the Treasurer for all their receipts and disbursements, and the Treasurer will always have the authority to inspect their financial transactions and supply additional funds, or withdraw excess funds available to them in accordance with determinations by the Management Committee.

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- 14.10 All Sub Committees shall maintain formal minutes of their meetings and the chair of the subcommittee shall forward a copy thereof to the Secretary of the Management Committee within two weeks of the meeting.

## **15. Executive Officers and Committee Members**

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- 15.1 Members elected by the general Membership to the position of President, Vice President, Secretary and Treasurer shall constitute the Executive for the term of the Committee.
- 15.2 **Additional Members not exceeding seven shall be elected to the Committee of Management. They shall comprise an Assistant Secretary, Assistant Treasurer, Editor and four Committee Members.** In case of a vacancy in the Executive, the Committee may appoint any Member to carry out the duties of any Executive for the remainder of the term. In the case of a vacancy in the Membership of the Committee, the Committee is empowered to appoint any eligible Member of the Association to the Membership of the Committee until the end of the Committee's term.

The Committee may at its discretion invite any person to attend, participate and/or observe proceedings of a Committee meeting.

- 15.3 The powers and duties of Executive Officers conferred by these Rules shall be as follows:
- (a) The President shall be the Chief Officer of the Association and ex officio Member of all Committees and Sub-Committees of the Association, and shall preside at all meetings of the Committee and all General Meetings at which he is present. The President shall be entitled ex officio to attend any formal or informal assembly of all or any of the Members, and shall have the same responsibilities and privileges as any other Member present provided that he shall not have power to cast his vote at any meeting or assembly at which he exercises this entitlement to attendance.
  - (b) The Vice-President shall assist the President in the execution of his duties, and shall deputise for him in his absence or incapacitation.
  - (c) The Secretary, subject to the general direction and supervision of the Committee and the President, shall supervise and control the routine and office work of the Association, and shall attend to all correspondence of the Association, and shall keep the records thereof, and shall keep proper and accurate minutes of all meetings of the Committee and General Meetings of the Association.  
**The Secretary shall also be responsible for reporting any changes to the constitution and also lodging the approved annual statement of income and expenditure (Clause 12 b) to the Consumers Affairs within a month after the annual general meeting.**
  - (d) The Treasurer, subject to the general direction and supervision of the Committee, shall handle all moneys of the Association and shall keep proper banking accounts and books of account recording all financial transactions thereof. The Treasurer shall not make any payments on behalf of the Association unless such payments are authorised by the Committee or by the Association in General Meeting.

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- (e) The Assistant Secretary shall assist the Secretary in execution of his duties and shall deputise for him in his absence or incapacitation.
  - (f) The Assistant Treasurer shall assist the Treasurer in the execution of his duties and shall deputise for him in his absence or incapacitation.

## **16. Removal of Officers**

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- 16.1 Where the Committee at a special meeting called for the purpose finds an Executive Officer or a Committee Member guilty, in accordance with these Rules, of misappropriation of the funds of the Association, or a substantial breach of the Rules of the Association and finds that such a person is not eligible to hold his office, it may by the resolution remove such person from his office provided that such removal shall not operate until the resolution is confirmed by a resolution of a Special General Meeting of the Association called for that purpose in accordance with Section 18(e).
- 16.2 No such resolution shall be moved at a meeting of the Committee unless the person concerned has been given adequate notice (of at least 28 days) of intention to move the resolution and an opportunity to show cause to the Committee why the resolution should not be moved.

## **17. Eligibility to hold office**

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- 17.1 No Member under the age of 18 years shall be eligible for nomination or election to any office of this Association.
- 17.2 Any person who does not believe in basic Islamic faith shall be ineligible to hold or to continue to hold or to be nominated for or elected to any office or position of the Association.
- 17.3 A Member to be eligible for office should be financially current for a minimum of six calendar months from the date of approval unless a Founder who is financially current.

## **18. Vacation of Office**

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- 18.1 The office of a Member of the Management Committee or of a Trustee shall become vacant:
  - (a) Upon his decease.
  - (b) If he becomes mentally ill in any way under the law relating to mental health.
  - (c) If he resigns his office by notice in writing to the Association.
  - (d) If he is absent for more than three consecutive meetings without leave of the Committee.
  - (e) Upon the resolution being passed by two-thirds majority of Members present at a properly constituted general meeting specially called for the purpose, to remove him from office.
  - (f) If he holds any office or profit under the Association.

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## 19. Elections

### 19.1 Election Officer

- (a) An election officer shall be the Secretary or in his/her unavailability the Management Committee shall appoint a member of the Management Committee at least two months in advance of the AGM.
- (b) The Election Officer so appointed shall not be eligible for nomination at the forthcoming AGM for any office.
- (c) The Management committee shall circulate the name of the Election Officer to the members immediately by email.
- (d) The treasurer shall provide the election officer with a current list of eligible members as on 30<sup>th</sup> June each year.

### 19.2 Nominations

- (a) Nominations of candidates for election as members of the Management Committee shall be:
  - (i) made in writing, signed by two financial current Members and accompanied by the written consent of the candidate (which must be endorsed on the form of nomination); and
  - (ii) delivered to the Election Officer on or before 5.00 pm 3 days before the date fixed for the holding of the Annual General Meeting.
- (b) A candidate may only be nominated for one position on the Committee.
- (c) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (d) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the Annual General Meeting.
- (e) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held at the AGM in accordance with these Rules.

19.3 The general meeting held to elect the new Committee **shall** be conducted in the following manner:

- (a) The President, Vice-President or in their absence an Executive Committee Member shall chair the meeting.
- (b) The meeting will proceed to conduct any business other than the election of the new Committee.
- (c) The Chairperson will then declare that the current Committee's term of office is to end on 30 June and the new Committee will take office at the AGM.
- (d) The election officer shall chair the meeting for the purpose of electing the new Committee.
- (e) The election officer shall read the names of Members nominated to the Executive Committee.

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- (f) The election officer will declare the nominations closed and conduct the voting.
  - (g) Founder Members who are financially current are eligible to vote.
  - (h) Full Members who are financially current and have been Members of the Association for over six (6) calendar months from the date of approval, are eligible to vote.
  - (i) Voting will be by secret ballot on the official form available at the meeting.

19.4 The President and Vice President shall not be eligible for re-election for the same post after four consecutive terms, but they shall be eligible to stand for re-election after a break of at least one year.

## **20. Quorum**

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20.1 At an Annual General Meeting or Special General Meeting of the Association fifteen (15) full Members or 50 percent (50%) of the full Members, whichever is the lesser, present in person shall form a quorum. At all meetings of the Committee six Members thereof present in person shall form a quorum.

20.2 If an Annual General Meeting or a Special General Meeting or a Committee meeting was adjourned to another date by reason of insufficient quorum, the Members meeting on that other date will form a proper quorum, provided that the business to be considered in the latter meetings is the same as was proposed in the adjourned meeting.

## **21. Offences by Members**

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21.1 The Committee may call upon any Member who the Committee has reason to believe is acting or has within twelve months preceding acted in a manner prejudicial to the interests of the Association or has committed any offence against these Rules to show cause why he should not be reprimanded or expelled from the Association.

21.2 The Secretary shall give to the Members concerned at least twenty-one (21) days notice in writing of the time, date and place fixed for hearing evidence relating to the offence which he is alleged to have committed and all particulars of the alleged offence and such notice in writing shall be given by certified mail to the Member's address as shown in the Register.

21.3 The evidence relating to the alleged offence shall be heard by the Committee or by a Sub-Committee consisting of not less than three Members of the Committee appointed for the purpose and the Member concerned shall be heard in his defence either personally or through counsel or he may make in writing such submissions as he may desire to make.

21.4 If the evidence relating to the offence is heard by a Sub-Committee that Sub-Committee shall report its findings to the Committee together with a recommendation to the Committee as to a penalty if any.

21.5 The Secretary shall promptly inform the Member in writing (certified or registered mail) of the decision of the Committee. In the event of expulsion, the expulsion shall become effective

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sixty (60) days after the date of posting such letter unless an appeal against the expulsion is lodged with the Secretary.

- 21.6 A Member who is found guilty of an offence shall have a right of appeal to a Special General Meeting, if and only if the penalty imposed by the Committee is expulsion from the Association, provided that he submits such appeal within sixty (60) days of the date of posting the letter informing him of the decision of the Committee. The expulsion, in such case, shall not become effective before the appeal is determined.

## **22. Financial**

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- 22.1 The Association shall raise funds by subscription, voluntary donations and any other means approved by the Committee. These funds together with any other moneys received shall be applied for any or all of the objectives or purposes of the Association.
- 22.2 All subscriptions and donations shall be paid to and collected by the Treasurer.
- 22.3 The financial year of the Association shall be from the 1<sup>st</sup> day of July to the 30<sup>th</sup> day of June each year, both dates inclusive.
- 22.4. The Treasurer shall supply from time to time all information required by the Auditors and by the Committee, and within three weeks after the close of the financial year of the Association, prepare a full statement of income and expenditure for that financial year and Balance Sheet of the Association.
- 22.5 The AGM shall appoint a qualified auditor to audit the annual accounts of the association.

## **23. Bank Account**

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A current/savings account in the name of the Association shall be kept with a bank or banks approved by the Committee, and all funds of the Association shall be banked with such bank or banks. Not more than four officers shall be authorised by the Committee to sign cheques on the bank account/accounts of the Association, and at least two of such officers, including one Executive Officer shall sign each cheque.

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## **24. Access to Books**

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Any financial Member, having given the Treasurer 14 days prior notice in writing, will be permitted to inspect the financial books and documents of the Association at the registered office of the Association at such time or times as the Committee shall direct.

## **25. Subscription**

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The Annual General Meeting shall determine the amounts of the annual subscription for the following fiscal year and the Secretary will advise all Members of these amounts.

## **26. By-laws**

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The General Meeting may make by-laws not inconsistent with these Rules for the better management of the Association and may repeal, amend or add to any by-laws of the Association.

## **27. Amendments to the Constitution and Rules**

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- 27.1 The constitution, Statement of Purposes and Rules of the Association can be amended at an Annual General Meeting.
- 27.2 The Constitution, Statements of Purposes and Rules of the Association can only be amended in accordance with the provisions provided herein.
- 27.3 The persons proposing and seconding such amendments to the Constitution as they may seek, shall give 28 days notice, prior to the AGM, to the Secretary. The proposed amendment together with the notice shall be in writing.
- 27.4 Three fourths (3/4) of the Members present and eligible to vote should vote in favour of such amendments.

## **28. Standing Orders**

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The Standing Orders of debate which are printed in Appendix 'A' to these Rules shall be used at all meetings of the Association and the Committee unless modifications are approved prior or during the meeting.

## **29. Indemnity**

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No liability shall attach to any officer, agent, or employee of the Association for any act, neglect, omission or default of any Committee of Meeting in respect of carrying out of his duties in relation to the Association or for joining in any receipt or for any other act of conformity of for any loss, damage or any other person or caused by any other act, neglect, omission or default of any person or caused by any insufficiency, deficiency or irregularity in any agreement, contract, instrument, security deed, lease or document or for any loss or damage arising from the bankruptcy, insolvency or tortuous act of any other person or for any error of judgment, omission, default or oversight on his or own part or for any

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damage, loss or misfortune arising therefrom unless such error of judgment, omission, default, oversight, damage, loss or misfortune be caused by his own wilful default, oversight, damage, loss or misfortune be caused by his own wilful default or neglect, any such officer, servant or agent if found to be liable shall be indemnified by the Association.

### **30. Trustees**

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- 30.1 Three trustees shall be elected at the Annual General Meeting for a period of three (3) years.
- 30.2 They are eligible for re-election at the end of their term.
- 30.3 They have to be a current financial member
- 30.4 Their functions would be in a consultative capacity if and when consulted by the USMAA Management Committee.
- 30.5 The permanent records of the association shall be in the custody of the trustees. The trustees will nominate one of themselves to keep the records and the AGM shall be informed of the name of the relevant trustee.
- 30.6 They would be responsible for disposing of all assets of the association in accordance with all clauses in paragraph 31.

### **31. Dissolution**

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- 31.1 The Association shall be dissolved if the Association so resolves by special resolution.
- 31.2 Upon Association resolving to dissolve in accordance with paragraph 31.1 above of the Rule, assets of the Association will be disposed of subject to any trust affecting the asset or any of them in accordance with Special Resolution.
- 31.3 If there is no Special Resolution then the assets of the Association subject to the trust affecting the same be distributed to the Australian Federation of Islamic Societies or any other Society having similar objectives as the Association.

### **32. Operation**

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These Rules shall come into operation immediately following their adoption by a meeting of the Association held for the purpose.

### **33. Custody of Records**

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Except as otherwise provided in this Rule, the Secretary shall keep in his custody or under his control all books, documents and securities of the Association.

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### **34. Common Seal**

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The Committee shall provide for the safe custody of the seal, which shall only be used by authority of the Committee or of a Sub-Committee of Members of the Committee authorised by the Committee in that behalf, and every instrument to which the seal is affixed shall be signed by a Member of the Committee and shall be counter signed by the President or by a second Member of the Committee for the purpose.

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# APPENDIX A

## STANDING ORDERS FOR ALL MEETINGS OF THE ASSOCIATION

### 1. Orders of Business

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The Order of Business shall be:

- (a) Apologies.
- (b) confirmation of Minutes of previous meeting.
- (c) Business arising out of Minutes (to be limited to matters directly arising thereout and not to include matters which will be dealt with in reports, notices on Motions, and general business).
- (d) Membership (Committee only).
- (e) Secretary's report and election.
- (f) Annual Reports:
  - (i) Secretary
  - (ii) Treasurer
  - (iii) Branches
- (g) Finance, including the report of Finance Sub-Committee
- (h) Reports of other Special Committees.
- (i) Notices on Motion.
- (j) Personnel of special Committees.
- (k) General business.

### 2. Rules of Debate

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- 2.1 All business shall proceed by way of Motions.
- 2.2 Motions shall be dealt with in the order they appear in the circular convening meeting.
- 2.3 When a substantive Motion is under debate at any meeting no further Motion shall be received except the following:
  - (a) that the Motion be amended.
  - (b) that the question be not put.
  - (c) that the meeting do proceed with the next business.
  - (d) that consideration of the question be postponed.
  - (e) that the question be not now put.
  - (f) that the speaker be no longer heard.
  - (g) that the question be referred for consideration and report.

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- 2.4 An amendment shall be debatable as an original Motion to which it is moved.
  - 2.5 Every amendment shall be relevant to the Motion to which it is moved.
  - 2.6 An amendment may not be a direct negation of the Motion which it is to amend.
  - 2.7 Every amendment shall be read before being moved, as if such proposed amendment was an original Motion.
  - 2.8 Upon adoption or any amendment to a Motion such Motion as amendment shall become a substantive Motion and for all purposes of subsequent discussion shall be treated as an original Motion.
  - 2.9 No discussion shall be allowed upon a Motion for the adjournment of a debate, except that a Member may, with permission of the Chair, point out that undue delay in finalising the matter under discussion may be caused by the proposed adjournment.
  - 2.10 On resuming an adjourned debate the Member who moved its adjournment shall be entitled to speak first.
  - 2.11 A Motion that the consideration of the question be now put shall not be decided in the affirmative or take effect without the consent of a majority of the Members present.
  - 2.12 Whenever it is decided by the meeting that the question under consideration shall be put, the mover of the question under consideration shall if debate has ensued be permitted to speak in reply and then the question shall be put.
  - 2.13 Any Member moving a Motion or amendment, or taking part in the discussion thereon shall rise and address the Chairperson and shall not be interrupted unless a point of order, when he shall resume his seat until the Member raising the point of order has been heard thereon and the question or order or Motion has been disposed of when the Member previously in possession of the floor may proceed, unless by so doing he infringes a standing order.
  - 2.14 A Member desirous of proposing a Motion or amendment shall state the nature of the same before he addresses the meeting thereon.
  - 2.15 No Motion or amendment shall be discussed or put to the vote of the meeting unless it is seconded.
  - 2.16 Not more than two Members shall speak in succession either for or against any question, and if at the conclusion of the second speaker's remark no Member rises to speak on the other side, this Motion or amendment shall be at once put, provided that the mover of an original Motion (but not of an amendment or an amended Motion) shall have the right of reply.
  - 2.17 If two or more Members rise to speak at the same time, the Chairperson shall decide who is entitled to priority, provided that priority is given to:
    - (a) A question – which shall be asked and answered concisely and shall be relevant to the matter under discussion.
    - (b) A formal Motion.

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- (c) A speaker wishing to oppose the views of the speaker just concluded.
- 2.18 All speakers shall be required to confine their remarks to the Motion as stated.
- 2.19 The Chairperson shall preserve order, and may on his own Motion call any Member to order whenever in his opinion there shall be cause for so doing. Also the Chairperson, when called, upon to decide a point of order or practice, shall give his decision and no argument or comment shall be permitted thereon and his decision shall be final in the particular case.
- 2.20 If the Chairperson wishes to take part in a debate he shall vacate the Chair for the duration of the debate.
- 2.21 Any Member who shall do anything or behave in any manner which is forbidden by any section of these standing orders shall be deemed to be out of order.
- 2.22 Whenever the Chairperson rises during a debate, any Member then speaking or offering to speak shall resume his seat, and the House shall be silent, so that the Chairperson may be heard without interruption.
- 2.23 No Member shall speak twice on any Motion, except by way of explanation, provided that the mover of the Motion have right to reply, and no Member shall speak to any Motion after the mover shall have been permitted to reply.
- 2.24 A Member moving or seconding a Motion or amendment shall be held to have spoken thereon, provided that the seconder of any original Motion may reserved his right to speak to such a Motion until a later stage in the debate.
- 2.25 No Member may speak to any question after the same has been put from the Chair.
- 2.26 It shall not be competent for any new matter to be introduced by the mover when speaking in reply, but he shall strictly confine himself to answering previous speakers.
- 2.27 No Member shall address the meeting when no Motion is before the Chair, except to introduce a Motion, provided that he may so speak when invited to by the Chairperson for some special purpose.
- 2.28 The Chairperson may at his discretion, or the meeting may without debate, order a complicated Motion to be divided and put in the form of several resolutions.
- 2.29 Every full Member including the Chairperson shall have one vote and all questions save where otherwise provided shall be decided by a majority of votes cast, provided that the meeting shall have power to remit any question of more than ordinary importance for determination by all Members concerned.
- 2.30 In all cases, where there shall be an equality of votes the Chairperson shall have a casting vote and the result shall be determined by him.
- 2.31 The Chairperson, shall in taking the vote on any Motion or amendment, put a Motion first in the affirmative and then in the negative, and he may so do as often as necessary, to enable him to form and declare his opinion from the voices, or on request of a Member or Chairperson, on show of hands. When a show of hands has been called for, two tellers may

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(and if a Member so requires, shall) be named by the Chair to count the votes. One teller shall be selected from the Members of the negative.

- 2.32 A Motion or amendment may be withdrawn by the mover, with the consent of the seconder of such Motion, and of the meeting, which shall be signified without debate.
- 2.33 No Member shall reflect upon any vote of the meeting, except for the purpose of moving that such vote be rescinded.
- 2.34 Any Member may require the Secretary concerned to take down any particular words used by a Member immediately upon the same being used, and such Secretary shall thereupon do so.
- 2.35 No Motion to the same effect as any Motion which has been negated by the meeting shall again be entertained at the same meeting.
- 2.36 No resolution passed at any meeting shall be rescinded at any subsequent meeting unless notice of the intention to propose such rescission shall have been given at a previous meeting or is in the circular convening the meeting, and unless the rescission is supported by two-thirds (2/3) of the votes cast.
- 2.37 A report containing a recommendation, may be discussed on a Motion being moved for its adoption which upon being carried out will signify the will of the meeting thereon. If the report contains no recommendation, it shall be competent for a Member to move a resolution arising out and relative to the report to obtain the opinion of the meeting on the matter.
- 2.38 Except with the concurrence of the meeting no Member shall speak for more than five minutes on any matter and the debate on any Motion including amendments thereof shall exceed thirty (30) minutes.

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**RESOLUTION ADOPTED AT THE USMAA AGM HELD ON 6<sup>th</sup> OF JULY 2013 IN  
CONJUNCTION WITH THE CHANGES TO THE CONSTITUTION**

**JANAZA SUB COMMITTEE (JSC)**

- (a) The JSC shall include seven financial members of whom at least two of them shall be youth members elected at the AGM for a term of three years, at the end of which they are eligible for re-election.
- (b) As per Clause 15.3 a of the Constitution, the President of USMAA shall be an *ex-officio* member of this sub committee.
- (c) The JSC shall meet within a month of the AGM to elect a chairperson and secretary.
- (d) The functions of the JC shall be to manage and set guidelines for improving and maintaining the Janaza Fund.
- (e) In consultation with the USMAA Management Committee, the JSC will endeavour to organise fund raising projects
- (f) The JSC will present a report on the progress of the fund at the AGM.
- (g) The JSC shall be responsible for the maintenance and disbursement of the Janaza Fund. Strict confidentiality shall be maintained in the disbursement of funds.
- (h) The Janaza Fund Bank Account will be operated by the Janaza Sub Committee. Not more than three of the JSC members shall be authorised by the Committee to sign cheques on this bank account of the Association, and at least two of such committee members shall sign each cheque.
- (i) Depending on the availability of funds, the JC will purchase burial sites in the name of USMAA. In consultation amongst the JC members, any one of the JC members could be a signatory to the release of a burial site. If no JC member is available the President or the Vice President is entitled to act on their behalf.

**SENIOR CITIZENS SUB COMMITTEE (SCSC)**

- (a) USMAA members who are financially current and aged 65 years as at 1st July of the current year are eligible to be members of the Senior Citizens Group (SCSC).
- (b) As per Clause 15.3 a of the Constitution, the President of USMAA shall be an *ex-officio* member of this sub committee.
- (c) The SCSC will be led by two seniors one from each gender elected at the AGM.
- (d) The USMAA Management Committee will designate one of its committee members as the SCSC Coordinator to liaise with the SCSC through the two elected seniors.
- (e) The activities of the SCSC shall include the following:
  - i. Meet and interact as a Muslim group;
  - ii. Represent USMAA at appropriate forums;
  - iii. Provide opportunities for group networking activities;
  - iv. Participate in indoor and outdoor activities and excursions; and

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- v. Promote and maintain cordial relations with senior groups in other communities.
  - (f) A sum of AUS \$ 500.00 will be allocated by the main committee each year towards these activities
  - (g) All SCSC activities will be governed by the aims and objectives of USMAA.

## **YOUTH SUB COMMITTEE (YSC)**

- (a) All financial members between the ages of 18 and 35 years are eligible to be part of the Youth Sub Committee (YSC).
- (b) As per Clause 15.3 a of the Constitution, the President of USMAA shall be an *ex-officio* member of this sub committee.
- (c) The USMAA Management Committee will designate one of its committee members as the Youth Coordinator to liaise with the Youth Committee.
- (d) Eligible persons should apply in writing to the Youth coordinator to be part of the youth group.
- (e) The Youth Coordinator shall convene a meeting within a month of the AGM to elect the Youth Coordinating Team comprising of:
  - Chairperson (Youth Group)
  - Secretary (Youth Group)
  - Treasurer (Youth Group)
  - Two Members
- (f) Subject to Clause 14.7 of the USMAA constitution, the objectives of the Youth Group shall include the following :
  - i. foster friendship and solidarity within the community;
  - ii. represent USMAA at youth forums;
  - iii. enhance the knowledge and skills that will assist them in personal development;
  - iv. develop professional and leadership skills;
  - v. provide opportunities for group networking activities;
  - vi. address the needs of the community; and
  - vii. promote better relations with other communities through a framework of friendship and service.
- (g) A sum of AUS \$ 500.00 will be allocated by the main Committee each year towards youth activities.
- (h) All Youth Group activities will be governed by the aims and objectives of USMAA.

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## **EDUCATION SUB COMMITTEE (ESC)**

- (a) The ESC shall include seven financial members of whom at least two of them shall be youth members elected at the AGM for a term of three years, at the end of which they are eligible for re-election.
- (b) As per Clause 15.3 a of the Constitution, the President of USMAA shall be an *ex-officio* member of this sub committee.
- (c) The ESC shall meet within a month of the AGM to elect a chairperson and secretary.
- (d) Subject to Clause 14.7 of the USMAA Constitution, the activities of the ESC shall include the following:
  - i. Organise educational and leadership programs;
  - ii. Provide opportunities for students and parents to network;
  - iii. Promote educational enhancement projects locally and in Sri Lanka;
  - iv. Organise the annual Academic and Professional Achievement Awards; and
  - v. Recommend to the management committees appropriate donations to worthy educational and charitable institutions in Sri Lanka and Australia.
- (e) A sum of AUS \$ 500.00 will be allocated by the main committee each year towards these activities
- (f) Organise an annual event i.e. the "Ladies Nite" to be the main fundraising event for ESC activities.
- (g) All ESC programs and activities will conform to the objectives and activities of USMAA.

## **QIRAATH SUB COMMITTEE (QSC)**

- (a) The QSC shall include five financial members elected at the AGM for a term of three years, at the end of which they are eligible for re-election.
- (b) As per Clause 15.3 a of the Constitution, the President of USMAA shall be an *ex-officio* member of this sub committee.
- (c) The QSC shall meet within a month of the AGM to elect a chairperson and secretary.
- (d) The Management Committee shall allocate a sum of \$1,000 per annum to conduct the QSC activities.
- (e) Subject to Clause 14.7 of the USMAA Constitution, the QSC shall organise workshops and competitions on Qiraath, Hifz and Public Speaking.
- (f) All ESC programs and activities will conform to the objectives and activities of USMAA.



