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Note: This Constitution supersedes the document adopted by New LPS Bolton dated 22 January 2019.

The main purpose for this revised document is due to changes in the structure of the Executive Committee (Section 7).

1. Name and Office

The name of this organisation shall be known as the New Leuva Patidar Samaj (New LPS) Bolton, and shall be referred to hereafter as the Samaj.

The office of the Samaj will be the home address of the elected President.

Should there be a change in the President, then by default, the home address will change to the new appointee.

There will be no requirement to amend the Constitution further to reflect the change in address.

2. Organisational Objectives

The organisation is in place to carry out the following:

- A. Promoting Hindu religion and culture amongst its own LPS members and also to the wider community.
- B. Supporting and encouraging the youth of the community.
- C. Organising social, cultural, educational, religious, sporting and health programmes for its members.
- D. To support and promote charitable activities both within the community and to assist other organisations outside of the community.
- E. To affiliate and represent with other similar organisations in the UK and elsewhere to support multi cultural events.

3. Membership & Enrolment (LPS Origin)

Annual membership fees will be decided by the elected Executive Committee and communicated at the (AGM) to all members.

The subscription year will be regarded as of the **1 April to the 31 March** and fees will be collected thereafter.

Members will be given until **30 June** to pay their subscriptions.

Any increase in subscriptions will be notified to members at the AGM and such increases will only be implemented the following year, if agreed by the Executive Committee.

Any late payments of fees may affect membership status including voting rights.

If the appropriate fee has not been received by the due date, then their membership will be automatically cancelled and their details removed from the Samaj database in line with current GDPR guidelines.

Members can rejoin at any time thereafter by submitting a new application and paying the appropriate membership fees.

Membership will then be backdated to **1 April** and will be renewable again the following April.

All persons who are of LPS Origin (Surat, Navsari and Bulsar district) over the age of (18) years shall be eligible to apply for 'full' membership of New LPS Bolton.

They shall have '**full and equal voting rights**' in the affairs of the Samaj and undertake to abide by the Constitution at all times.

Members will be eligible to stand for any posts of the Executive Committee providing they have been a '**paid member**' of the Samaj for a minimum of 2 years.

The Executive Committee will make the final decision in respect of all applications received.

Any '**spouse**' who is not of LPS origin but remains married to a person of LPS origin shall be regarded as having '**full membership**' of the Samaj.

Should a member's marriage be dissolved then the member who is not of LPS origin will automatically have their membership changed to that of a "**social member**" should they wish to remain in the Samaj.

They will no longer have full and equal voting rights in the affairs of the Samaj.

In the event of the death of a member then the spouse who is not of LPS origin will automatically retain their 'partners' full membership and will have full and equal voting rights in the affairs of the Samaj.

4. Membership & Enrolment (Social Members)

Any person wishing to apply for membership, who is not of LPS origin, and is not married to a person of LPS origin, will be classified as a '**Social Member**'.

All applications received for social members must be 'seconded' by at least one paid member of the Samaj.

The applicant must satisfy the Executive Committee that they hold similar cultural and religious values of the LPS community.

Social members will be entitled to attend meetings and functions held by the Samaj and have the right to speak on all matters of the agenda with the permission of the Executive Committee.

Social members can be elected on 'sub committees' to support and offer their services in the planning of events to the main body of the LPS Samaj.

Social members will not have voting rights, or qualify to stand for any posts or offices of the Executive Committee.

Social members will represent 10% of the total membership of the Samaj and will be reviewed annually.

5. Dismissal of members

Any member found intentionally behaving contrary to the rules of the Samaj, and performing or causing directly or indirectly acts harmful to the interest and ideals of the Samaj shall be liable to dismissal from the Samaj.

The Executive Committee has the discretion before exercising the right of dismissal to give a proper warning to the member in writing.

The member shall have the right to reply. If his/her reply is accepted by the Executive Committee then the membership shall be reinstated. A record of the decision will be noted against the members details in the database held by the President.

Any further occurrences would result in the immediate dismissal of the member and their membership cancelled immediately.

The member will be disqualified from attending any events held by the Samaj, even as a non member.

The disqualification only applies to the member and not to any other members of the same family.

No refund of membership will be made if a member is dismissed from the Samaj.

6. Cancellation of Membership

Any member wishing to cancel their membership can do so in writing at any time.

Once the request is received, all data relating to the member will be destroyed in accordance with current GDPR guidelines.

Any fees paid in advance are non refundable.

7. The Executive Committee

The affairs of the Samaj shall be managed by the elected Executive Committee and they shall exercise the powers provided by the Constitution, carrying out their duties with transparency, trust, fairness, honesty, and respect for its members.

The committee shall consist of:

1. President
2. Treasurer
3. Secretary
4. General Committee Member
5. General Committee Member

The Committee shall consist of a maximum of (5) people.

Should there be a requirement to increase this number, then this must be communicated to all members in writing and the post advertised inviting applications for the required post(s).

The Committee shall have the power to appoint a sub committee or special committee for the purposes of undertaking any specified activities or tasks as and when required.

The Committee shall request such support for the duration of an event from members of the Samaj.

The elected committee can increase the size of the current committee as required but must inform their members and such posts must be clearly advertised on the LPS platforms.

7. (a) Resignation of a Committee member

If a committee member wishing to resign from his/her post then they must do so in writing to the President, giving at least 1 calendar months notice.

In the event that the resignation is for personal reasons, then the 'notice period' can be waived at the discretion of the President.

8. Roles & Responsibilities of the Executive Committee

President

The President shall preside over all the meetings of the Samaj.

His or her role shall be to steer the team in meeting its objectives as outlined in the Constitution.

In case of equality of votes, he or she shall have a casting vote.

He or she shall have the power to summon or convene meetings as and when necessary.

The President will ensure that all 'key objectives' agreed by the Executive Committee are implemented within the timescale agreed at the start of each financial year.

The President will further ensure that due diligence is adhered to in all matters relating to the governing of the Samaj.

Secretary

The Secretary shall carry out such duties as:-

Record the Minutes, in English of each meeting of the Executive Committee or at any General Meeting.

To ensure that the rules of the Samaj are adhered too at all times.

To convene General or Committee meetings for the dispatch of business.

To maintain proper records of the correspondence exchanged between the Samaj, individual members and others.

To maintain all administrative documentations and membership database with utmost confidentiality.

Treasurer

The Treasurer shall carry out such duties as:-

Financial Management of all Income and Expenses and issue official receipts where required.

Managing the approved Samaj Bank Account, ensuring no unlawful activities take place.

Reconcile the maintained accounts with the approved bank account.

Ensuring all cash income is deposited in a timely manner.

To prepare and present the accounts to the members at each Annual General Meeting in an approved format.

To assist in any required external Audits that may be requested by any legal requirements.

To update the President on a regular basis regarding the accounts and to bring to his/her attention any irregularities.

General Executive Committee

The General Executive Committee Members shall assist the President, Secretary and Treasurer (as defined in Section 8 above) in meeting its overall objectives as outlined in the Constitution. They will have 'voting rights' in all decision making processes.

Each member shall ensure they participate in meetings and decision making processes with justifiable arguments and valid input.

He or she will conduct themselves in a respectable manner at all times whilst valuing the opinion of their fellow members.

They will inter officiate when required and take on responsibilities during absences of other committee members.

The President will allocate tasks when it is deemed appropriate and all members will contribute to the outcome of such tasks both individually and collectively.

9. Appointment of Executive Officers

All Executive Officers of the Samaj: President, Treasurer, Secretary and General Committee shall be elected or re-elected at the Annual General Meeting (AGM) every three (3) years.

All posts will be reviewed annually and communicated to the members at the AGM or sooner if applicable.

10. Vacancies in the Executive Committee

Samaj Members wishing to apply for any post on the Executive Committee can do so at any time.

The Executive Committee must advertise all posts in advance to allow members to consider such vacancies.

Their application must be submitted in writing to the Secretary outlining the post they wish to apply for.

If their application is considered favourably by the committee, the applicant will be allowed to join the committee as an 'observer' for a period of 3 months.

If the member then wishes to be elected as an Executive Officer for the post, their name will be put to the members at the next AGM for the final vote of acceptance.

If their appointment is approved at the AGM, their 'full term' will commence from the date they commenced their 'interim' period.

Should any post be required to be filled mid term due to an Executive Officer leaving for personal reasons, then the application will be 'fast tracked' and members will be notified accordingly of the vacancy.

The elected member will then join the team on an 'interim' basis until formally elected at the next AGM.

During the 'interim period', the selected member will be allowed to vote on matters.

No member will be elected at an AGM in his or her absence.

Only in 'special circumstances' will the President allow such an election of a member in the event of a bereavement or planned holiday at the time of the AGM.

AGM's will normally be held on the first Sunday in April unless this date falls on a bank holiday.

Only in exceptional circumstance will this date be changed and members will be given sufficient notice of such change by the President.

End of term posts must be notified to members 12 months prior and this must be communicated to them in writing.

All posts must be advertised on the Samaj communications platforms.

Once the new Executive Team has been appointed, it is then their responsibility to form a wider Management Committee. This must be done within a 21 day period of the new Executive Team appointment where possible.

In the event of a 'full' re-election of a new committee, the President must ensure that a proper 'handover' is effected and all data, accounts and assets passed to the new committee within one (1) calendar month.

The new Executive Team must ensure that the Committee is made up of a mixed group (i.e Gender & Age) so as to ensure an equal representation from all members of the community.

The President and Secretary must communicate to all members within 30 days of appointment a full listing of the new Management Committee.

10 (a) Exceptional Circumstances regarding Appointments.

In the event of no applications being received at the closing date for posts, and if the deadline affects the term time of the existing committee, then the current 'term time' can be extended beyond 3 years.

This should only be considered in exceptional circumstances and if this decision is taken then it must be notified to the members in writing once the new committee has been formed.

The existing committee will then be officially re-elected at the AGM but they have the option to step down at any time thereafter without a replacement being found.

Should this happen, and all Committee members resign, or consider resigning, then the members must be notified that consideration will be given to 'dissolving' the Samaj.

If this action is taken, then an Emergency General Meeting (EGM) will be convened to notify members at the earliest opportunity.

11. Finance

The financial year of the Samaj shall commence on the **1st of April**.

All activities and transactions shall be recorded by the Treasurer and approved by the Executive Officers.

The funds of the Samaj shall be deposited into a nominated bank account and will be controlled by a minimum of two signatories.

The Executive Committee shall ensure that any funds raised for a specific purpose shall be used only for that purpose.

All sponsors and donations shall be recorded within the accounts and disclosed at the AGM.

The Executive Committee shall operate with a working capital of £5000.

Any amount above £5000 shall require the approval of the appointed Trustees. Any request for such withdrawals must satisfy all the appointed Trustees.

The Trustees shall examine the financial records every 6 months and have the power to request 'ad hoc' inspections.

When requesting an 'ad hoc' inspection, at least 24 hrs notice must be given to the President.

The Trustees must prepare reports of their audits and inform the President in writing, of any discrepancies found and suggestions for 'best practise'.

12. Meetings

The minutes of all meetings are to be recorded by the Secretary.

In the absence of the Secretary, the President will nominate a member of the team to record such minutes.

Committee Meetings

The Executive Committee shall meet at least every 4 months to consider, discuss and deal with matters relating to the Samaj.

Such meetings will be convened by giving at least fourteen (14) days notice but in the case of an emergency, a meeting will be convened as soon as practicable.

All meetings will be chaired by the President, or in his/her absence a nominated member of the team.

General Meetings

General Meetings shall be called as and when required by the Executive Committee.

Upon a requisition signed by not less than 50 members of the Samaj or by two-thirds of the Executive Committee, the Secretary shall convene a 'Special general Meeting' within a month of receipt of such a requisition for the purpose of deciding upon the matters contained therein.

Extraordinary General Meetings

In the event of the Secretary failing to call a Special Meeting within a month, after the receipt of a requisition, the requisite number of signatories, shall upon giving a clear fifteen days, circulate a notice amongst the members of the Samaj to convene a meeting, stating the objectives, place, date and time of such a meeting.

Annual General Meetings (AGM)

The AGM shall be convened by giving a minimum of 21 days notice to all members.

The AGM shall be held in April each year to discuss and decide the following Agenda:

- To confirm the minutes of the previous Annual General Meeting and any other General Meeting(s).
- To receive and adopt the Annual report.
- To present and publish the Treasurer's report.
- To discuss and dispose of any other business on the agenda.
- To elect the Executive Officers for the ensuing 3 years if applicable.

13. Quorum

Quorum Definition: The minimum number of voting members that must be in attendance at a meeting of an organisation for that meeting to be regularly constituted. A quorum is the number or proportion of the members of an organisation that must be present in order to transact any business.

At all General Meetings, thirty (30) members or 20% of the registered members (whichever is the lower of the two) shall form a quorum.

At a Committee Meeting, five (5) or one half of the members of the Executive Committee (whichever is the lower of the two) shall form a quorum.

If the Meeting commences with a quorum, any subsequent lack of quorum during the proceedings shall not nullify any resolutions adopted during such proceedings.

If the quorum is not formed within half an hour of the appointed time for any meeting, the members present shall decide to call an adjourned meeting within three months and no quorum shall be necessary at this meeting.

Any decision taken at such adjourned meetings shall be binding on all Samaj members.

14. Roles & Responsibilities of the Trustees

A Board of Trustees shall be appointed with the authority to be the ultimate 'Guardians' of the affairs of the Organisation.

The Board of Trustees will consist of three (3) members elected at the Annual General Meeting and shall hold the office for a period of three years from the date of election. One-third of their numbers shall resign at each Annual General Meeting of the Samaj.

Resignation of a Trustee must be received in writing by the Secretary giving 21 days notice.

This Notice period does not apply if resignation is due to exceptional circumstances.

The Trustees may attend any meetings of the Managing Committee or of any sub committee. They will not be able to vote at these meetings but can observe and offer advice where necessary.

They shall present and report all of its activities at each and every Annual General Meeting.

The Trustees shall keep in their possession, custody and control of all important deeds, documents and papers belonging to the organisation.

They shall have the right to access any or all of the organisations books and accounts upon written request to the President.

The Trustees shall keep their own copy of all minutes held by the Executive Committee.

Any Trustee vacancy arising by his or her death or by his or her resignation, or becoming of unsound mind, or otherwise unfit to act or being declared criminal, insolvent or bankrupt, or absent from Bolton for a continued period of one year shall be filled at the next Annual General Meeting.

Until such time as a new Trustee is elected, the remaining Trustees shall have full power and authority to carry on and conduct all affairs entrusted to them.

In the event of any deadlock arising in the working of the affairs of the Executive Committee, the Board of Trustees shall have the full power to carry on independently all the activities and affairs of the organisation until such deadlock is resolved.

In action or suits of law by or against the organisation, the organisation shall be presented by the Board of Trustees, or any nominees thereof and the Board shall furthermore have the power to institute, commence, prosecute, conduct, defend, compound, compromise, settle or abandon all acts, suits, claims, demands and any other legal proceedings by or against the organisation and to Abide by and carry out any judgment of the Court in respect thereof.

15. Appointment of Trustees

The following requirements shall be eligible for the post of Trustee:

Any member who wishes to become a Trustee should submit his or her application in writing to the Management Committee prior to the Annual General Meeting.

Any member over the age of 18 years can be elected.

The applicant must have been a fully paid member of the Samaj for a minimum of 2 years.

Social members can be considered for this post in exceptional circumstances.

Qualifying criteria for post of Trustee:-

- He or she must be a permanent resident of the United Kingdom and a 'paid member' of the Samaj to which the post applies.
- He or she must be a person of high standing and responsibility in the community.
- Have never been bankrupt, convicted of a serious criminal offence or of unsound mind.

- No Trustee shall hold office for a period of more than three years, where upon, he or she must resign.
- In exceptional circumstances where no applicants have been received, then the President can further extend the term until such time as a suitable replacement can be found.

The first Trustees shall be appointed at a General Meeting of the Samaj from amongst the members and to the appointment to any vacancy thereafter shall also be affected at the General Meeting.

All posts will be reviewed annually and communicated to the members at the AGM or sooner if applicable.

16. Special Powers of the elected Trustees.

The Trustees must hold the upmost regard for the appointed Executive Officers who are running the day to day Samaj activities, and provide them with support where required and guidance in the interest of the Samaj.

In the event of any dispute, the Trustees and Executive Committee must at all time's make an attempt to resolve any issues or matters relating to the Samaj either in person between each other in an organised and professional manner

Should it fail for the Executive Committee and Board of Trustees to come to a resolution between the two parties, the Trustees shall then have power to convene meetings of the Executive Committee and/or the members as necessary with just cause and in the interest of the Samaj.

The Secretary shall convene a meeting of the Executive Committee and/or members within one month of being required to do so by the Trustees, upon checking the availability of the Executive Committee members for a convenient date to suit the majority.

17. Dissolution

A motion to dissolve the Samaj may only be made at an Extraordinary General Meeting (EGM) called for this specific purpose. To affect dissolution, at least three-quarters of the members actually present and voting shall vote in favour of the dissolution.

In the event of the Samaj being dissolved, the members present at the said EGM shall decide to transfer the excess of assets and liabilities to a charitable organisation having objectives similar to those of the Samaj.

18. Amendments

From time to time it may be necessary to amend the Constitution to allow for changes in the working practises of the Samaj.

In such cases, where changes are made, these must be discussed and recorded.

Any amendments must be signed by all members of the Executive Committee.

Such changes must be notified to the members at the next AGM.

19. Signatories to the Constitution

Once the Constitution has been agreed, all members of the Executive Committee in post must sign the document in the presence of the Trustees.

See separate sheet attached to this document.

