

PAKISTAN ASSOCIATION OF WESTERN AUSTRALIA INC.

CONSTITUTION – 2018



Approved

By Special Resolution

On 05 August 2018

AT PERTH

Western Australia

This constitution contains:

Total number of pages: 18 Total number of sections: 29

This is the latest copy of the constitution and supersedes all constitutions, prior to 05 August 2018

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1. NAME OF THE ASSOCIATION

- a) The name of the Association shall be “Pakistan Association of Western Australia Inc”.
- b) The acronym of the Association shall be PAWA Inc.

2. OBJECTIVES

- a) To promote friendship and goodwill between the people of Pakistan and Australia.
- b) To promote better communication, liaison and understanding between the Association and government departments, local bodies, ethnic and cultural associations.
- c) To develop and promote social, cultural and sporting activities amongst its members.
- d) To promote and encourage members of the Pakistani community to be proud of their customs, language, culture and values.
- e) To provide all possible assistance to the nationals of Pakistan who may be travelling to Australia as bona-fide visitors, students, migrants and vice versa.
- f) To arrange cultural and social programs and celebrate national and historic events of importance to its members.
- g) To arrange events and functions for all members of the Association including children, students, young men, women and elders.
- h) To uphold the religious beliefs and cultural needs amongst the members of the Association.
- i) To maintain the Association as a non-political and non-profit organization.

3. RULES OF ASSOCIATION & THE ACT

- a) It is not intended that any rule of the Association shall come in conflict with the Associations Incorporation Act 1987 (“the Act”). In the event of a conflict between the rules of the Association and the Act, the provisions of the Act shall prevail. If no provision exists in these rules in respect of any matter, the matter shall be dealt with in accordance with the provision governed by the Act or any current legislation in Western Australia.
- b) The Association shall keep and maintain an up to date version of the rules of the Association and upon request of a member, shall make available, those rules for the inspection of the member in person who may make a copy or take an extract from the rules but shall have no right to remove the rules for that purpose.

4. INTERPRETATION

In these rules, unless a contrary intention appears:

“Association” means Pakistan Association of Western Australia Inc.

“Committee” means the Executive Committee of the Association.

“Constitution” means the latest rules of the Association (as amended).

“Financial Year” means the period from 1 July to 30 June of the following year.

“Prescribed Form” means the form approved by the Executive

Committee and adopted by the Association for the specific purpose.

“Officers” of the Association means the President, the Secretary and the Treasurer.

“AGM” means Annual General Meeting of all the members convened after the end of the financial year.

“GM” means General Meeting of all the members during a financial year.

The Act” means the Associations Incorporations Act 1987.

“Special Resolution” means a resolution passed at a General Meeting or AGM by not less than three fourths of the members present and entitled to vote in accordance with section 24 of the Act.

“Member” means financial member of the Association in the current financial year.

“Annual Membership” means the membership acquired for the full financial year (starting 1 July of a year to 30 June of the next year).

“Days” means calendar days as opposed to working days.

“Department” means the government department responsible to administer the Associations Incorporation Act 1987.

“Quorum” means the minimum number of financial members who must be present at a meeting to be valid for official purpose.

“Simple majority” means cast of votes by more than 50% of the members, present & eligible to vote at a meeting.

“Clause number” means reference to the clause within the same section.

“Section number” means reference to the section within the constitution.

“Section of the Act” means reference to the section contained in „the Act“.

The singular shall mean and include the plurals and vice versa.

Any gender shall mean and include all other genders.

5. CLASSES OF MEMBERSHIP & QUALIFICATIONS

- a) Membership shall be open to any Pakistan origin over the age of 18 years who shall be willing to support and promote the objectives of the Association. The intending member shall complete the prescribed membership form (PAWA-1) or apply on line through Association’s website once developed and shall be subjected to approval by the Executive Committee. The members upon approval shall be governed by the current rules of the Association and agree to share their particulars with other members of the Association, within the boundary of the Act.
- b) Any member may resign upon giving seven days written notice to the Secretary along with payment of all outstanding dues, if any. The Association shall acknowledge such resignation forthwith.
- c) The Association shall have following classes of membership: *(changes in this section have been incorporated from motion passed in AGM on 5 August 2018)*
 - i. SOLE MEMBERSHIP: This class shall be open to any person over the age of 18 years. Each member shall exercise the right of one vote each.

- ii. FAMILY MEMBERSHIP: This class shall be open to families including husband and wife. Both husband and wife shall be entitled to exercise one vote each. The children shall have no right to vote.
- iii. STUDENT MEMBERSHIP This class shall be open to bona-fide full time international students residing in Western Australia. Each member shall exercise one vote each.
- iv. LONG TERM MEMBERSHIP Duration of this class of membership is valid for 10 years and subdivided in two:
 - 1) Long Term Sole: Available to any person over the age of 18 years.
 - 2) Long Term Family (Couple): Available to any couple.
- v. PENSIONER / SPECIAL MEMBERSHIP This class shall be open to members based on their disability age, unemployment, pension as defined under West Australian State Laws. Every member shall exercise one vote.

6. MEMBERSHIP SUBSCRIPTION

(changes in this section have been incorporated from motion passed in AGM on 5 August 2018)

- a) The annual subscription for various classes of membership as approved by special resolution at the General Meeting convened on 05 August 2018, shall be as follows:
 - i. Sole Membership: \$35
 - ii. Family Membership: \$50
 - iii. Student Membership: \$15 (International Students only)
 - iv. Long Time Membership (Sole): \$125 (valid for 10 years)
 - v. Long Time Membership (Couple): \$250 (valid for 10 years)
 - vi. Special / Pensioners Membership: Single: \$25
- b) All memberships shall expire on 30 June of each year. A grace period of 30 days shall be allowed and after that date the annual subscription shall become due for the next financial year.
- c) The member's rights and privileges shall apply from the start of the financial year on 01 July as long as the annual subscription is paid within the grace period. In case of payment received beyond the grace period, the rights and privileges of the member shall commence from that date of payment and not from retrospective effect.
- d) Subscription shall be calculated for the new members on the following basis:
 - i. Upon joining on or before 30 June of the financial year – full rate
 - ii. Upon joining on or after 1 July of the financial year – full rate
- e) Donations and gifts from members and other sources approved by the Executive Committee shall be welcome.
- f) The Membership subscription shall be non-refundable and non-transferable.
- g) The Executive Committee may revise further the scales of annual subscriptions in clause (a) above as and when deemed necessary. There will be no need to amend clause (a) where the Executive Committee further revises the scales from time to time.

- h) The revised rates shall take precedence over the rates mentioned in clause (a) above and shall apply from such date as determined by the Executive Committee.

7. RESPONSIBILITIES AS MEMBERS

The members of the Association shall be responsible:

- a) To pay their membership subscription on time,
- b) Where possible, to participate in the activities of the Association, suggest improvements and show physical attendance at the events,
- c) To offer help and assistance to other members and the Executive Committee especially when required during Association events from time to time,
- d) To be courteous, well-mannered and polite to other members during the meetings and functions held by the Association,
- e) To reply to Association's correspondence and confirm their acceptance or apologies to invitations sent by the Association. This act of courtesy shall assist the Executive Committee to organize better thereby saving costs and ensuring a high standard of service to all members of the Association,
- f) To abide by the latest rules and objectives of the Association always,
- g) To keep updated the Association of their contact details i.e. Name, Address, contact Phones, Email address and any other information of their choice.
- h) To indemnify the Executive Committee for loss of any communication in case of member's default as per clause (g) above. Respectively, the Association shall not be responsible for any loss or damage (material or non-material) caused to any member or non-member in case of any missed communication.

8. INSPECTION OF RECORDS & REGISTER OF MEMBERS

- a) The Secretary shall maintain an up to date record of all financial members of the Association including their relevant details and last known postal & email addresses in compliance to sections 27& 29 of the Act.
- b) The Executive Committee shall cause the name of the person who dies, resigns or ceases to be a member to be deleted from the register of members.
- c) A member upon giving seven days notice to the Secretary may inspect free of charge, make a copy or take extracts in the presence of an officer, of the records as provided in sections 27, 28 & 29 of the Act.
- d) The members shall not be given access to the confidential & classified documents and personal information of members including any information which is prohibited to be given or accessed under Australian Privacy Act 1988. The personal information of a member may only be accessible to a level contained in sections 27& 29 of the Act 1987.
- e) No member shall have the right to remove any document, book, record or register from the custody of the Association officers at any time.

9. CODE OF CONDUCT

- a) All the members of the Association are expected to maintain harmony of the Association.
- b) No member shall be allowed to discuss the private and personal affairs of the other persons during the proceedings of any meeting or functions of the Association.
- c) No member shall be allowed to act or represent by way of verbal, written or physical manner, which undermines or degrades the prestige of the officers and other members of the Association including its officers and members, within or outside the forum of the Association.
- d) If any member has a concern about the affairs of the Association, he shall follow the procedure, namely:
 - i. Submit in writing his concerns to the Executive Committee which shall try to satisfy the concerns within a period of four weeks, and if not resolved,
 - ii. Request and attend a meeting where the member shall be afforded an opportunity to resolve his concerns. The decisions reached at the meeting so convened shall be final and binding upon the members.
- e) No member shall be allowed to take charge of any material or services provided and maintained by the Association e.g. websites, radio programs, news-letters, magazines etc. save with approval of the Executive Committee in writing stating the rules of such engagement. The Executive Committee may continue, vary, extend or terminate such approval.
- f) No member shall be allowed to represent or speak on behalf of the Association at any forum, in or outside Australia save as approved by the Executive Committee.
- g) If any member shall fail to comply with the provisions under this section, the Executive Committee shall investigate the matter further, make such enquiries as necessary and having reasonable belief of the said misconduct may take further action, such as to warn the member in writing, suspend any of his rights and privileges granted by the Association for a period deemed fit by the Executive Committee or convene a general meeting to deal with the subject matter. The resolution reached at the general meeting so convened shall be binding on all parties.
- h) Before any action is taken against any member under this section, the member shall first be given reasonable opportunity by the Executive Committee to be heard in person and respond to the allegations or misconduct within fourteen days of being notified of the charge in writing.
- i) Appeals against any decision of the Executive Committee shall only be entertained if a provision exists under the law of the State of Western Australia.
- j) If there is any provision for appeal, the notice of appeal, reference to the relevant sections of the applicable law, must be given in writing by the concerned member to the Secretary not later than 14 days from the date of notification of the decision given by the Executive Committee.

10. COMMUNICATION

- a) The following modes of communication, between the Executive Committee and the Members or with external bodies shall be acceptable. This includes general correspondence and official notices of the Association;

- i. By Australia Post mail services,
 - ii. By private courier services,
 - iii. By facsimile,
 - iv. By Electronic Mail Services (Emails),
 - v. Short Message Services (SMS),
 - vi. By hand
- b) In addition to at least one mode as mentioned in clause (a), the Executive Committee may try to contact the members by phone service (mobile or fixed), as a gesture of good will, wherever proper & feasible.
- c) The mail sent by any of the above methods in clause (a) shall be considered delivered and duly served upon the recipient.
- d) The Executive Committee shall make all efforts to maintain its medias, including website and Facebook page, the existing in the name of the Association and shall cause:
- i. To maintain and preserve the existing useful information and history of the Association for the benefit of the community,
 - ii. To improve the layout, add useful features and keep the related information up to date.
- e) The Executive Committee shall endeavour to manage and maintain the community radio broadcasting services, once established, by the Association at Perth, Western Australia.
- f) In compliance with section 40 of the Act, the incoming Secretary shall immediately lodge a notice to the department for latest address of service of any process, notice or other document on the Association.
- g) The Executive Committee shall endeavour to post an updated copy of the current constitution on its website once available. For authentic purposes, the members must rely on hard copy of the latest constitution which officially kept on Association's records.

11. THE EXECUTIVE COMMITTEE

- a) The administration and day-to-day management of the Association shall be vested in the Executive Committee ("the committee").
- b) The Executive Committee shall consist of minimum seven members.
- c) The Executive Committee shall elect the following four officers amongst themselves: The President, The Vice President, The Secretary and The Treasurer.
- d) All positions on the Executive Committee shall be "Honorary" without any financial reward or remuneration for their services.
- e) Every member on the Executive Committee shall be responsible to take all reasonable steps to ensure that the Association complies with the Act as referred to in section 42 of the Act.
- f) The Executive Committee may vary or allocate additional responsibilities to any member or members on the Executive Committee to improve service to the Association members.
- g) Any member on the Executive Committee may vacate his position:
- i. By mutual consent and handing over responsibilities to another member on the Committee as directed by the Executive Committee,

- ii. By resignation upon giving 30 days notice to the Executive Committee and handing over responsibilities to his or her successor as directed by the Executive Committee, and
 - iii. By decision of the Executive Committee at a meeting convened for altering or removing the designation of an officer on the Executive Committee.
- h) An Executive Committee Meeting convened under clause (g) above, shall require a full quorum of seven members of the Executive Committee and the motion shall be approved by most five out of seven votes.

12. ELECTIONS OF THE EXECUTIVE COMMITTEE

- a) The present Executive Committee shall be responsible for organizing elections at the General Meetings and the Annual General Meeting.
- b) The members on the Executive Committee shall be elected for a term of two years and shall be eligible for re-election in multiple terms of two years when the elections are held at the relevant AGM.
- c) All members can be re-elected on the executive committee after completion of his two consecutive terms. *(motion passed to amend this section on 5 August 2018)*
- d) Nominations for each candidate for election as Executive Committee Member shall be made on the “prescribed form” (PAWA-4), complete in all respects without any erasure, cutting or alteration.
- e) All nominations shall be lodged with the Secretary to be received not later than seven days before the AGM. If sufficient nominations are not received for all positions, the remaining positions shall be elected from the floor.
- f) No ballot shall be required when the nominations received do not exceed the number of vacancies, in which case all nominated candidates shall be declared as elected.
- g) The elected Executive committee shall meet within seven days of the AGM and further elect three officers amongst themselves for the positions of President, Secretary and Treasurer. The elected officers shall take over respective responsibilities from the outgoing officers after completing the “Prescribed form” (PAWA-5) within seven days of the said meeting.
- h) The elected Executive Committee shall be publicised on Association’s website, the names of Officers & Committee Members shall also be circulated immediately to all the members via Association’s email and posted on the Association’s website by the incoming Secretary.
- i) The elected Executive Committee shall ensure that proper handing/taking over has practically taken place and that the prescribed form (PAWA-5) has been duly completed in all respects, both by outgoing & incoming officers. The incoming Secretary shall cause the original copy of the completed form to file in Association records along with certified minutes of the meeting.

13. POWERS OF THE EXECUTIVE COMMITTEE

The Executive Committee shall have the following powers, authorities and discretion:

- a) Power to purchase, lease, hire or otherwise acquire any real or personal estate, though the power to purchase any real property shall be effective only after authorization at a General Meeting.
- b) Power to act as Trustee and accept and hold real and personal property upon trust.

- c) Power to borrow or raise by a loan, any sum or sums of money and for securing the repayment thereof to execute or give any mortgages, charges, bonds debentures, bill of exchange, promissory notes or other securities over all or any of the property of the Association as may be deemed necessary and to liquidate, redeem or pay off such obligations and securities or any one of them.
- d) Power to invest and deal with the money of the Association not immediately required, upon such securities and in such manner, as may be from time to time to be determined in furtherance of the Association's objectives.
- e) Power to appoint trustees, agents, sub-agents, committees and subcommittees for any purpose and co-opt any member or members of the Association as it may deem necessary from time to time, to run the business of the Association.
- f) As required under sections 21 and 22 of the Act, a member on the Executive Committee having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Committee (except if that pecuniary interest exists only by virtue of the fact that the member of the Committee is a member of a class of persons for whose benefit the Association is established), must:
 - i. As soon as he becomes aware of that interest, disclose the nature and extent of his interest to the Executive Committee, &
 - ii. Not take part in any deliberations or decision of the Executive Committee with respect to that contract.
- g) Clause f (i) above does not apply with respect to a pecuniary interest that exists only by the member of the Committee is an employee of the Association.
- h) The Secretary must cause every disclosure made under clause f (i) to be recorded in the minutes of the Executive Committee meeting at which it is made.
- i) Make policies and take appropriate steps to run smooth operation of the activities and special projects of the Association as deemed proper & feasible.

14. MEETINGS OF THE EXECUTIVE COMMITTEE

- a) The President shall be the Chairperson at the meeting. In the absence of the President, the Vice President shall be the Chairperson. In the absence of both President and Vice President, the Secretary shall act as a chairperson.
- b) The Executive Committee shall unless otherwise determined have regular meetings at their discretion.
- c) Extraordinary meetings of the Executive Committee and group discussions by electronic means may be held at any time at the discretion of the Executive Committee.
- d) A member of the Association with a prior notice to the Secretary may attend the Executive Committee meetings as an "observer", who may contribute to the discussion only with the permission of the chairperson but without any right to vote at such meeting. A limit of two observers shall apply in such a meeting to avoid clutter & maintain efficiency. However, the chairperson shall have the discretion to allow more observers upon request.
- e) Any motion before the Executive Committee meeting except where specified otherwise in these rules shall be determined by simple majority of the Executive Committee Members present at the meeting, constituted by a quorum of five members.

15. VACANCIES IN THE EXECUTIVE COMMITTEE

- a) In the event of any vacancy arising on the Executive Committee before the next Annual General Meeting, a meeting of the remaining members of the Committee shall be held forthwith to take the steps set out below in clauses (b).
- b) In the meeting convened under clause (a) above, the Executive Committee may at its discretion fill the vacant positions on ad-hoc basis and subsequently seek the approval of such appointment/s at the next available general meeting or AGM.
- c) The members appointed on the Executive Committee as provided in Clause (b) above shall exercise the same rights and privileges, and bear responsibilities, in the same way as the regular elected members of the Executive Committee.

16. DUTY OF OFFICERS

The **President** shall:

- a) Maintain the prestige and promote the good name of the Association,
- b) Represent the Association on all occasions whenever this is possible,
- c) Be the spokesperson of the Association on any matter affecting the wellbeing of members that is consistent with the Association's objectives,
- d) Preside and act as Chairperson at all Executive Committee Meetings, General Meetings and AGM of the Association.
- e) Exercise a deliberative vote and should there be equality of votes, a casting vote at the Executive Meetings and General Meetings including AGM but excluding the voting process during election of the Executive Committee at an AGM.
- f) Oversee the management of the Executive Committee and the affairs of the Association and give proper directions, if required.
- g) Prepare, complete & file the charge hand over report on the "prescribed form" (PAWA-5) including the Association's administrative records, books, registers and hand over the same to the incoming President immediately after the election of the new Executive Committee or in the case of his own resignation.

The **Vice President** shall: *(motion passed to add this position on 5 August 2018)*

- a) Act as delegation of authority in absence of President.
- b) Manage the coordination of events.
- c) Responsible to publish association's quarterly newsletter.
- d) Manage and control the social media and website.
- e) Attract community members to become the financial member of association.
- f) Explore different option for seeking grants and lodge applications.
- g) Engage with businessmen in community and seek their support to contribute in events.

The **Secretary** shall:

- a) Undertake & co-ordinate the correspondence of the Association.
- b) Keep true & complete record of the minutes of the proceedings at the Executive Committee meetings, General Meetings, AGM and where ever directed.
- c) Act as Chairperson in the absence of the President, at all meetings.
- d) Comply on behalf of the Association with:
 - i. Section 27 of the Act in respect of the register of members of the Association,

- ii. Section 28 of the Act in respect of the rules of the Association, and
- iii. Section 29 of the Act in respect of the record of the office holders of the Association.
- iv. Section 40 of the Act in respect of “Notice of address for service”.
- e) Have custody of all books, documents, records and registers of the Association other than those required to be kept and maintained by or in the custody of the Treasurer,
- f) Maintain a register of assets and belongings of the Association as per “prescribed form” (PAWA-6), compile the inward and outward correspondence of the Association with every page properly numbered and bound together in a format to be securely preserved, stored and accessed for easy reference in the future,
- g) Prepare, complete & file the charge hand over report on the “prescribed form” (PAWA-5) including the Association’s administrative records, books, registers and hand over the same to the incoming Secretary immediately after the election of the new Executive Committee or in the case of his own resignation.
- h) Perform such other duties as imposed by these rules or if directed by the Executive Committee in writing.

The **Treasurer** shall:

- a) Be responsible for the receipt of all monies paid to or received by him on behalf of the Association and shall issue receipts for those monies in the name of the Association,
- a) Act as Chairperson in the absence of both President and the Secretary at the Executive Committee and General Meetings,
- b) Pay all moneys belonging to the Association into such account or accounts of the Association as the Executive Committee directs from time to time,
- c) Maintain all financial records of payments and receipts of money in specific ledgers in a form that may easily be traced and audited,
- d) Comply on behalf of the Association with sections 25 and 26 of the Act in respect of the accounting records of the Association,
- e) Submit to the Executive Committee a report, balance sheet or financial statement as required,
- f) Have custody of all securities, bank cheque-books and documents of a financial nature and accounting records of the Association.
- g) Maintain a register of financial records of the Association with every page properly numbered and bound together so that it can be preserved, stored and accessed for easy reference in the future,
- h) Prepare, complete & file the “charge hand over” as per “prescribed form” (PAWA-5) and hand over all the relevant financial records to the incoming Treasurer immediately after the election of the new Executive Committee or in the event of his own resignation,
- i) Prepare a balance sheet for the financial year as at 30 June, suitable for audit and presentation at the Annual General Meeting, and
- j) Perform such other duties as are imposed by these rules on the Treasurer or directed by the Executive Committee in writing.

The **Election Officer** (Optional):

- a) When appointed at any meeting, shall be responsible to oversee and conduct proper elections including the election of members on the Executive Committee for a designated period, in accordance with the latest rules of the Association & the Act.
- b) Shall make him fully aware of the regulations provided in the constitution & the Act. Follow such regulations to make the elections fair and legally valid.
- c) Shall be responsible to assess and make final declaration of the outcome of the elections at the meeting by way of written advice to the Executive Committee.
- d) Shall be responsible to endorse the official copy of the minutes of that meeting, where he has been appointed as Election Officer.

17. COMMON SEAL

- a) The common seal of the Association shall be in the custody of the Secretary or any other officer as directed by the Executive Committee.
- b) The common seal shall be applied together with signature of the writer to every formal document executed on behalf of the Association in the presence of a witness. Every use of the common seal shall be recorded in a register kept with the minutes of the Executive Committee Meetings.

18. PATRON OF THE ASSOCIATION

- a) A Minister of the Crown, a Member of the Legislative Assembly or of the Legislative Council, a diplomat or any person of national or international repute may be invited by the Executive Committee to become a patron of the Association. The appointment of the Patron shall continue subject to mutual consent by both sides.
- b) The Patron may resign at any time by giving fifteen days notice to the Executive Committee and vice-versa.
- c) The Executive Committee shall not be bound to act under instructions of the Patron but consider any recommendation given by him in good faith.

19. ANNUAL GENERAL MEETING (AGM)

- a) The Annual General Meeting shall preferably be held within four weeks, but not later than four months, of the end of the financial year upon a date and a time to be fixed by the Executive Committee for the following purposes:
 - i. To receive the President's report on activities of the Association,
 - ii. To receive the Treasurer's financial report on income and expenditure for the preceding financial year,
 - iii. To elect the members of the Executive Committee if due, and
 - iv. To transact any other business including any business of which a member of the Association has given at least seven days notice to the Secretary.
- b) The Executive Committee may appoint an "Election Officer" who will be responsible for conduct and proper administration of the election of the Executive Committee at a nominated AGM. The general method of voting shall be either by way of show of hands or by way of ballot (poll) at the discretion of the Election Officer.

20. GENERAL MEETINGS (GM)

- a) General Meetings may be held at any time at the discretion of the Executive Committee.
- b) Any member may request a General Meeting to be called by forwarding a notice in writing to the Secretary, signed by at least ten financial members of the Association and stating the purpose and urgency of the proposed meeting. The Executive Committee shall have the right to discuss the subject matter with the members who requested the general meeting with a view to save precious time and expenditure in convening a General Meeting.
- c) The quorum for any General Meeting, save where specified different in these rules, shall not be less than one half of the financial members of the Association as recorded on the "Register of Members".
- d) The Executive Committee shall direct the Secretary to send official notices by an approved method or methods (section 10) for a proposed General Meeting including AGM, to all the members of the Association, at least fourteen days before such a meeting except where specified otherwise.
- e) If within 45 minutes of the time appointed by the Executive Committee in the notice of a general meeting, a quorum is not present, the members who are present in person or by proxy (if allowed under the rules) may proceed with the business of that general meeting as if a quorum were present.
- f) The conditions specified in clause (e) above, shall not apply in general meetings convened for the following purposes:
 - i. To amend the constitution,
 - ii. To dissolve the Association,
 - iii. To elect/dissolve an Executive Committee,
 - iv. To transfer Association's assets & services including those mentioned in section 9 (e), and
 - v. To pass any resolution by way of "special resolution".

21. VOTING RIGHTS OF MEMBERS AT GENERAL MEETINGS

- a) Except as provided in clause (b) below, a member entitled to attend and vote in any meetings of the association may appoint a proxy on the "prescribed form" (PAWA-2) in original to attend and where there is a ballot, vote in place of the member.
- b) No proxy vote shall be allowed at any meeting held to alter or repeal any part of the current constitution (section 24) or to dissolve the Association (section 26) of the constitution.
- c) Except as provided in clause (d) below, a postal vote shall be allowed if lodged and mailed on the "prescribed form" (PAWA -3) within the prescribed time.
- d) No postal vote shall be allowed at any meeting held to alter any part of the constitution or to dissolve the Association.
- e) Only current financial members shall be entitled to vote at a current General Meeting or Annual General Meeting (AGM) which relates to the same period.
Example: The financial members for the period 2010-2011 shall be eligible to vote at the "General Meeting" held between 1 July 2010 to 30 June 2011 and also at the "AGM" if held within 4 months of the next financial year i.e. until 30 October 2011 or

later upon permission of the department as long as their annual membership is current for the period in which the general meeting or an AGM is being conducted.

- f) A waiting period of 30 days shall apply for a fresh member who became financial only after 30 June, to become entitled to vote at a General Meeting or AGM, held in the same financial year.
- g) Clause (f) above, shall not apply to those preceding members who had renewed their membership within the grace period of 30 days in the current financial year.
Example: The financial members for the year 2010-11, if renewed their membership before 1 August 2011 shall be allowed to vote at any meeting convened in the year 2010-11 without any waiting period. Any member renewing his membership after 1 August 2011 shall be subjected to the waiting period of 30 days for voting purposes.

22. ASSOCIATION FUNCTIONS

The Association each year may celebrate the following functions:

- a) Eid-ul-Fitre
- b) Eid-ul-Azha
- c) Eid-Milad-un-Nabi
- d) Pakistan Day (23rd March)
- e) Independence Day of Pakistan (14th August)
- f) Quaid-e-Azam Day (25th December)
- g) Australian Day (26th January)
- h) Any other event, social or cultural functions, as approved by the Executive Committee from time to time

23. FINANCES

- a) All monies of the Association shall be paid into such bank account/s of the Association, as the Executive Committee shall direct from time to time.
- b) No cheque shall be signed or money withdrawn unless such withdrawal has been approved by the Executive Committee. The Executive Committee shall maintain a bank account in the joint names of President, the Secretary and the Treasurer, with instructions to the bank that any two officers may sign to complete the relevant transactions.
- c) The Treasurer shall be responsible to maintain all the accounting records in such a manner as to enable the accounts of the Association to be properly audited.
- d) The Treasurer shall prepare and submit at the Annual General Meeting of the Association proper accounts of the Association showing the financial position of the Association at the end of the preceding or accountable financial year.
- e) The property and income of the Association shall apply solely towards the promotion of the objects and purpose of the Association and no part of that property or income shall be paid or otherwise distributed directly or indirectly to the members of the Association, except in good faith in promotion of the objectives or as payment for services rendered or expenses incurred on behalf of the Association and approved by the Executive Committee.

24. AMENDMENTS TO THE CONSTITUTION

- a) No part of the Constitution shall be repealed or altered, and no addition shall be made, save by a “Special Resolution” of the financial members present and entitled to vote at a General Meeting convened for this purpose in accordance with the Act.
- b) A written notice of 21 days of the intention to propose any alteration, deletion or addition shall be given by the Executive Committee to every financial member of the Association whether eligible or non-eligible to vote, along with details of the proposed amendments and alterations. This written notice shall be sent to each member by one of the approved methods as detailed in section 10 (a) of the constitution.
- c) The quorum for such meeting under clause (a) shall be seventy five percent of the total eligible and financial members of the Association. The motion must be approved as a “special resolution” in conformation to section 24 of the Act.
- d) No part of the Constitution shall be repealed or altered and no additions shall be made, unless a motion is proposed in writing by at least ten financial members of the Association who are also present in person at the General Meeting convened for this purpose and vouch for their motion.
- e) The Executive Committee shall lodge the amended Constitution with the department as approved by “special resolution”, in compliance with the Act.
- f) The amended constitution shall take immediate effect from the date of written notification of approval conveyed by the department.

25. DISPUTES AND MEDIATION

- a) The grievance procedure set out in this rule applies to disputes under these rules between:
 - i. A member and another member, or
 - ii. A member and the Association or if the Association provides services to non-members, those non-members who receive services from the Association and the Association.
- b) The parties to the dispute must meet and discuss the matter in dispute and if possible resolve the dispute within 14 days after the dispute comes to the attention of all parties.
- c) If the parties are unable to resolve the dispute at the meeting or if a party fails to attend that meeting, then the parties must within ten days, hold a meeting in the presence of a mediator.
- d) The mediator must be a person chosen by agreement between both parties or in the absence of an agreement, any suitable person appointed by the Executive Committee of the Association.
- e) The Executive Committee shall not involve in mediation process under this section where the grievance has occurred between the two members outside the scope of the Association forum or if the matter between the parties is entirely of personal or private nature.

26. DISSOLUTION OF THE ASSOCIATION

- a) The Association may be wound up voluntarily in a General Meeting of the members convened for that purpose. The quorum for such meeting shall be 90% of the total financial members, eligible to vote. The requirement for the majority votes shall not be less than 90% of the members present and eligible to vote. No postal or proxy votes shall be allowed under this clause. The chairperson shall not be entitled to use any deliberative vote.
- b) The Association may be wound by orders of the Supreme Court of Western Australia.
- c) In the event of the Association being dissolved, the surplus funds & property (movable & immovable) which remains after satisfaction of all debts and liabilities of the Association, shall be paid and applied by the Executive Committee to any fund, institution or non-profit organisations with the same objectives. Provided that the resolution is approved at the general meeting convened for the same purpose and in compliance with the rules of the Australian Taxation Office.

27. REQUIREMENT OF QUORUM & MAJORITY

- a) No meeting shall become officially valid if the required quorum of the attending members is not met. The Secretary or the appointed person shall be responsible for physical counting and upon satisfaction, make a declaration to the fact that the specified quorum for that meeting has been met as per constitution and the meeting can proceed with authority and official validation.
- b) The members by proxy, if allowed under the rules, shall be admitted as “present” in the meeting for accounting of the specified quorum.
- c) The Chairperson, or the Election Officer in case of elections, shall be responsible to count the majority votes and declare a motion approved or disapproved accordingly. The secretary or any authorised person shall record accurately and file the minutes of the meeting, endorsed by the Election Officer.
- d) The following quorum & majority shall be generally specified in relation to the conduct of the following meetings except where it is specified differently in these rules.
 - i. **Executive Committee Meetings:** Quorum: A minimum of five Executive Committee members including at least one officer of the Association.
Majority votes: simple majority.
 - ii. **General Meeting/AGM:** Quorum: A minimum of 50% of members, eligible to vote. Majority votes: simple majority.
 - iii. **Constitution Amendments:** Quorum: A minimum of 75% of members, eligible to vote. Resolution to be approved by way of special resolution.
Majority votes: 75% & over.
 - iv. **Dissolution of Association/Transfer of Assets:** Quorum: A minimum of 90% of members eligible to vote. Majority: 90%
Election/Dissolution of Executive Committee: Quorum: A minimum of 50% of members, eligible to vote.
Majority: simple.

28. LIABILITIES

- a) The officers and members of the Executive Committee shall not be liable for the acts, receipts, deeds, neglects or defaults of any other member of the Executive Committee or other members of the Association or towards external bodies (corporate or non-corporate) during official business but only for their own acts, deeds, neglects and defaults alone.
- b) Any person appointed or employed by the Executive Committee shall for this rule be named a member of the Executive Committee.

This includes the members or other persons or an entity of appointed by the Executive Committee on sub-Committees to carry out special tasks and projects of the Association from time to time.

29. PRESCRIBED FORMS

The following prescribed forms are duly approved and shall be actioned by the Association during the conduct of normal business. These forms are attached as annexure to the constitution.

PAWA-1Application for Membership

PAWA-2Proxy Voting Form

PAWA-3Postal Voting Form

PAWA-4Nomination Form as Member on the Executive Committee

PAWA-5Charge Handing / Taking over Form

PAWA-6Register of Assets

PAWA-7Register of Financial Members

PAWA-8Register of Executive Committee Members

PAWA-9Resignation Form

END

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