

**THE PAKISTAN ASSOCIATION
OF
WESTERN AUSTRALIA INC.**

**CONSTITUTION
(MAY 2007)**

Approved
By Special Resolution
on 6 May 2007

PERTH
Western Australia

This constitution contains:

Total number of pages: 22 Total number of sections: 27

This is the latest copy of the constitution and supersedes all constitutions prior to

11 June 2007

TABLE OF CONTENTS

1	Name of the Association	2
2	Objectives	2
3	Rules of the Association & the Act	2
4	Interpretation	3
5	Qualifications & Classes of Membership	4
6	Responsibilities as Members	5
7	Inspection of Records & Register of Members	6
8	Membership Subscription	6
9	Code of Conduct	7
10	Communication	9
11	The Executive Committee	10
12	Elections of the Executive Committee	10
13	Powers of the Executive Committee	11
14	Meetings of the Executive Committee	13
15	Vacancies in the Executive Committee	13
16	Duties of Officers	14
17	Common Seal	16
18	Patron of the Association	16
19	General Meetings	16
20	Voting Rights of Members at General Meetings	18
21	Association Functions	19
22	Finances	19
23	Amendments to the Constitution	20
24	Disputes & Mediations	21
25	Dissolution of the Association	21
26	Liabilities	22
27	Prescribed Forms	22
	The End	22

NAME OF THE ASSOCIATION

1

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

OBJECTIVES

2

The Objectives of the Association are:

- 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.

RULES OF ASSOCIATION & THE ACT

3

- 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.

- b) The Association shall keep and maintain in an up to date condition the rules of the Association and upon the request of a member, shall make available, subject to section 7, 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.

INTERPRETATION

4

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 together with up to date amendments duly approved by ‘special resolution’ at the General Meeting.

“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 to be adopted by the Association for a 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 in accordance with section 23 of the Act.

“GM” means General Meeting of all the members during a financial year for which a due notice has been given to the members.

“The Act” means the Associations Incorporations Act 1987 (as amended).

“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 under the rules in accordance to 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 valid from 1 July of a year to 30 June of the following 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 for it to be valid for official purpose.

“**Simple majority**” means cast of votes by more than one-half of the members.

“**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.

QUALIFICATIONS & CLASSES OF MEMBERSHIP

5

- a) Membership shall be open to any person over the age of 18 years who shall be willing to support and promote the objectives of the Association. The intending member shall complete a ‘prescribed membership form’ (PAWA-1) or apply on line if possible by the Association’s website, shall first be approved by the Executive Committee. All 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 by giving a seven days written notice to the Secretary along with payment of all outstanding dues, if any.
- c) The Association shall have following classes of membership:
 - i. GENERAL 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, wife and their children under the age of 18 years. 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 students residing in Western Australia. Each member shall exercise one vote each.
 - iv. HONORARY MEMBERSHIP This class of membership shall be conferred upon individuals of repute on the

- recommendation of the Executive Committee, but does not confer any voting rights.
- v. LIFE MEMBERSHIP This class shall be open to any person over the age of 18 years and shall have the same qualifications as detailed in the class of Family Membership – see clause c (ii) above.
- vi. SENIORS MEMBERSHIP This class shall be open to members based on their invalidity, pension or retirement as defined under West Australian state laws. Every member shall exercise one vote each.
- vii. CORPORATE MEMBERSHIP This class shall be open to corporate sectors like companies, Associations etc. but without any voting rights.

6

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 functions,
- c) To offer help and assistance to other members and the Executive Committee especially when required during Association functions 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, and
- f) To abide by the latest rules of the Association at all times.

INSPECTION OF RECORDS & REGISTER OF MEMBERS

7

- a) The Secretary shall maintain an up to date record & register of all financial members of the Association including their relevant details and last known addresses.
- 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 register of members, books, records, documents and securities belonging to the Association save as forbidden under clause (d) below.
- 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 section 27 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.

MEMBERSHIP SUBSCRIPTION

8

- a) The annual subscription for various classes of membership as approved by special resolution at the General Meeting convened on 18 February 2007, shall be as follows:
 - i. General Membership: \$15
 - ii. Family Membership: \$30
 - iii. Student Membership: Single: \$10 Family: \$20
 - iv. Honorary Membership: Gratis
 - v. Life Membership: \$500
 - vi. Seniors Membership: Single: \$10 Family: \$20
 - vii. Corporate Membership: Voluntary donation

- 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 following year.
- c) The member's rights and privileges shall apply from the start of the financial year on 1 July as long as the annual subscription is paid within the grace period (clause b above). In case of payment received beyond the grace period, the rights and privileges of the member shall commence from that date of payment.
- d) Subscription shall be calculated for the new members on the following basis:
 - i. Upon joining during the first half of any financial year - Full rate
 - ii. Upon joining during the second half of any financial year - Half 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 scale of annual subscriptions in clause (a) above may be further revised by the Executive Committee as and when deemed necessary. There will be no need to amend clause (a) where the scales are further revised by the Executive Committee 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.
- i) On receipt of subscription from a 'Life Member', the Executive Committee may keep an amount not more than 'General Membership fee' and shall be obliged to save and transfer the balance of the subscription to the oncoming Executive Committee after the Annual General Meeting each year.

Example: If a Life Member pays \$500 as his subscription in a year, the most an Executive Committee in that year can access is the amount equal to 'General Membership fee' (\$15). The balance of \$485 shall be kept saved and transferred to the next Executive Committee at the time of hand over and so on.

CODE OF CONDUCT

9

- a) All the members of the Association are expected to maintain harmony and decorum at the Association functions.

- 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 either within or outside the forum of the Association.
- d) If any member has a particular 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 satisfied,
 - ii. request and attend a general meeting as provided in section 19 below where the member shall be afforded an opportunity to resolve his concerns. The decisions reached at the general meeting so convened shall be final and binding upon the members within the boundary of the Act.
- e) No member shall be allowed to take charge of any material or services provided and maintained by the Association e.g. website, radio programs, news-letters, magazines etc. save with approval of the Executive Committee in writing stating the terms and conditions involved. 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 not exceeding six weeks or convene a general meeting to deal with the subject matter by way of special resolution.
- h) Before any action is taken against any member under this section, the member shall first be given reasonable opportunity 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 any law of the State of Western Australia.

- j) If there is any provision for appeal under clause (i) above, the notice of appeal, quoting the relevant 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.

COMMUNICATION

10

- 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), and
 - v. By hand
- b) The mail sent by any of the above methods shall be deemed to have been sent to the recipient and considered duly served.
- c) The Executive Committee shall make full efforts to maintain the existing website: (www.pakistanassociation.com) 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 along with a hard copy to be kept on record.
- d) The Executive Committee shall make full efforts to manage and maintain the community radio broadcasting services established by the Association.
- e) In compliance with section 40 of the Act, the incoming Executive Committee shall immediately lodge a notice to the department for address of service of any process, notice or other document on the Association.
- f) A kit including useful information about the Association, membership card and a copy of the constitution shall be made available for the members to purchase for a fee of \$10. This fee may be revised by the Executive Committee at any time.
- g) The Executive Committee shall endeavour to post a copy of the constitution on its website if this is possible. For authentic purposes, the members must rely on hard copy of the latest constitution, officially provided by the Association

THE EXECUTIVE COMMITTEE

11

- 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 seven members.
- c) The Executive Committee shall elect the following three officers amongst themselves: The 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) In consideration to section 42 of the Act, every member on the Executive Committee shall be responsible to take all reasonable steps to ensure that the Association complies with the Act.
- f) The Executive Committee may vary or allocate additional responsibilities to any member or members on the Executive Committee in order to provide best service to the Association.
- g) Any member on the Executive Committee may vacate his or her 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 the purpose of altering or removing the designation of a particular officer on the Executive Committee.
- h) An Executive Committee Meeting convened under clause (g) iii above, shall require a full quorum of seven members of the Executive Committee and the motion shall be approved by a majority of five votes out of seven votes.

ELECTIONS OF THE EXECUTIVE COMMITTEE

12

- 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 one year and shall be eligible for re-election. Subject to clause (c) below, no member shall remain on the Executive Committee for more than two consecutive years.
- c) In most exceptional and deserving cases, an extension of a further one year may be granted to such member/s, who have already served for two consecutive years on the Executive Committee, provided this is approved by majority of the members at the AGM. However, in no case a member shall be allowed to serve on the Executive Committee for more than three consecutive years in a row.
- d) Nominations for each candidate for election as Executive Committee Member shall be made on the 'prescribed form' (PAWA-4), complete in all respects and signed by the nominee.
- 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 person shall be eligible for appointment on the Executive Committee unless he shall have been a financial member of the Association for not less than three calendar months preceding the date of General Meeting/Annual General Meeting.
- g) 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.
- h) The elected Executive committee shall meet within seven days of the AGM and elect three officers amongst themselves for the positions of President, Secretary and Treasurer. The elected officers shall take over respective responsibilities from the preceding officers after completing the 'prescribed form' (PAWA-5) within seven days of election.
- i) The elected Executive Committee shall be publicised on Association's website, if this is possible. This information shall also be circulated immediately to all the members via Association's 'Email' by the incoming Secretary.

THE POWERS OF THE EXECUTIVE COMMITTEE

13

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 the purpose of 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 sub-committees for any purpose as it may deem necessary from time to time.
- 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; and
 - 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 virtue of the fact that 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.

MEETINGS OF THE EXECUTIVE COMMITTEE

14

- a) The President shall be the Chairperson at the meeting. In the absence of the President, the Secretary shall be the chairperson. In the absence of both President and the Secretary, the Treasurer shall act as a chairperson.
- b) The Executive Committee shall unless otherwise determined have regular meetings on monthly basis and five members shall form a quorum.
- c) Extraordinary meetings of the Executive Committee may be held at any time at the discretion of the Executive Committee.
- d) The Executive Committee meetings may be attended by a member of the Association who has given prior notice to the Secretary. Any such member shall be regarded as 'observer', who may contribute to the discussion only with the permission of the chairperson but without any right to vote at such meeting.
- 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.

VACANCIES IN THE EXECUTIVE COMMITTEE

15

- a) In the event of a vacancy on the Executive Committee, up to a maximum of four vacancies, which occurs before the next Annual General Meeting, an extraordinary meeting of the remaining members of the Committee shall be held forthwith in order to take the steps set out below in clauses (b) & (c).
- b) In the meeting convened under clause (a) above, the Executive Committee may at its discretion fill the vacant positions on ad-hoc basis, subject to section 12 (f) and subsequently seek the approval of such appointment/s at the next available general meeting with no further regard to Section 19 (k).
- c) In case where more than four members of the Executive Committee resigns at one time, the remaining members of the committee, in collaboration with the Patron of the Association, shall send to the members of the Association a notice of a General Meeting as provided in these rules. All decisions reached at the General Meeting shall have immediate effect.

- d) 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.
- e) If any member of the Executive Committee shall absent himself from three consecutive meetings of the Executive Committee without an acceptable cause, the Executive Committee may upon notice to such member, declare his position vacant and fill the same as provided in clause (b) above.

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 well being of members that is consistent with the Association's objectives,
- d) preside and act as Chairperson at all General Meetings and Executive Committee Meetings, and
- e) exercise a deliberative vote and should there be equality of votes, a casting vote at the Executive Meetings, General Meetings and AGM of the Association.
- f) Oversee the overall management of the Executive Committee and the affairs of the Association and give proper directions if need be.

The **Secretary** shall:

- g) co-ordinate the correspondence of the Association,
- h) keep complete and correct record of minutes of the proceedings of the Executive Committee, General Meetings and AGM of the Association,
- i) act as Chairperson in the absence of the President, at the Executive Committee Meetings and all General Meetings,
- j) 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'.

- k) have custody of all books, documents, records and registers of the Association including those referred to in Clause (h) & (j) above, other than those required to be kept and maintained by or in the custody of the Treasurer,
- l) 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,
- m) prepare a '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, and
- n) perform such other duties as are imposed by these rules or directed by the Executive Committee in writing.

The **Treasurer** shall:

- o) be responsible for the receipt of all monies paid to or received by him or her on behalf of the Association and shall issue receipts for those monies in the name of the Association,
- p) act as Chairperson in the absence of both President and the Secretary at the Executive Committee and General Meetings,
- q) pay all money referred to in clause (o) above, into such account or accounts of the Association as the Executive Committee directs from time to time,
- r) maintain all financial records of payments and receipts of money in specific ledgers in a form that may easily be traced and audited,
- s) comply on behalf of the Association with sections 25 and 26 of the Act in respect of the accounting records of the Association,
- t) submit to the Executive Committee a report, balance sheet or financial statement as directed,
- u) have custody of all securities, books and documents of a financial nature and accounting records of the Association including those referred to in clauses (r) and (s) above,
- v) 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,

- w) prepare 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,
- x) prepare a balance sheet for the financial year as at 30 June, suitable for audit and presentation at the Annual General Meeting, and
- y) perform such other duties as are imposed by these rules on the Treasurer or directed by the Executive Committee in writing.

COMMON SEAL

17

- 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. Every use of the common seal shall be recorded in a register kept with the minutes of the Executive Committee Meetings.
- c) The affixing of the common seal shall be witnessed by the Secretary and/or any other officer on behalf of the Executive Committee.

PATRON OF THE ASSOCIATION

18

- 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 thirty (30) days notice to the Executive Committee and vice-versa.

GENERAL MEETINGS

19

General Meetings shall be held as follows:

- 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, 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) General Meetings may be held at any time at the discretion of the Executive Committee.
- c) Any member may call a General Meeting 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 person/s requesting the meeting with a view to save unnecessary time and expenditure in convening a General Meeting.
- d) A General Meeting as requested in clause (c) above, shall be called in by the Secretary if the matter in issue still remains unresolved.
- e) A General Meeting convened in accordance with clause (c) above for the purpose of passing resolution to dissolve the existing Executive Committee, shall be governed by the rules of 'special resolution' (section 24 of the Act). The required quorum under this clause shall not be less than 75 per cent.
- f) In the event of the dissolution of the existing Executive Committee under clause (e) above, a special committee of three members shall be elected on ad-hoc basis to run the Association until the next Annual General Meeting, where a new Executive Committee shall be elected as provided in these rules.
- g) The Executive Committee shall appoint an "Election Officer" who will be responsible for conduct and proper administration of the elections. 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 Chairperson at a meeting or an Election Officer at the elections as the case may be.
- h) 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'.

- i) The Executive Committee shall direct the Secretary to send official notices by an approved method or methods (see section 10) for a proposed General Meeting to all the members of the Association on their last known addresses (including Email addresses) as shown on the register of Members, at least fourteen days before such a meeting except where specified otherwise.
- j) If within 30 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 nevertheless proceed with the business of that general meeting as if a quorum were present.
- k) The conditions specified in clause (j) above, shall not apply in general meetings convened for the following purposes which shall be resolved by way of special resolution with a specified quorum as set below:
 - i. to amend the constitution: (Quorum required: 75%)
 - ii. to dissolve the Association: (Quorum required: 90%)
 - iii. to elect an Executive Committee: (Quorum: as required in section 19) and
 - iv. to transfer Association's assets & services including those mentioned in section 9 (e) above to outside organisations: (Quorum required: 90%).

VOTING RIGHTS OF MEMBERS AT GENERAL MEETINGS

20

- 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 elect the Executive Committee or to alter or repeal any part of the Constitution or to dissolve the Association under sections 23 & 25 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 elect the Executive Committee or 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 2006-2007 shall be eligible to vote at the 'General Meeting' held between 1 July 2006 to 30 June 2007 and also at the 'AGM' if held within 4 months of the next financial year i.e. until 30 October 2007 or later upon permission of the department.

- f) The chairperson shall be allowed a deliberative vote and in case of an equality of votes shall be entitled to exercise a casting vote.
- g) A waiting period of 60 days shall apply before a member shall become entitled to vote at a General Meeting or an Annual General Meeting.

ASSOCIATION FUNCTIONS

- 21 The following functions may be celebrated by the Association each year:
- 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) Any other event, social or cultural functions, as approved by the Executive Committee from time to time.

FINANCES

- 22
- 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 the 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 maintain all the accounting records in such a manner as to enable the accounts of the Association to be conveniently and properly audited.
 - d) The Executive Committee 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.

AMENDMENTS TO THE CONSTITUTION

23

- 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.
- 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 member of the Association whether eligible or non-eligible to vote along with written details of the proposed amendments and alterations. This written notice shall be sent to each member at his last known address as appears in the Association's register of members.
- c) The quorum for such meeting under clause (a) shall be seventy five percent of the total financial members of the Association. The motion must be approved as a 'special resolution' i.e. by majority of seventy five percent of the members, present in person and entitled to vote at the meeting.
- 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 such approval by the department.

DISPUTES AND MEDIATION

24

- 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, a person appointed by the Executive Committee of the Association.
- e) A member of the Association can be a mediator.
- f) 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 place of meeting or if the matter between the parties is entirely of personal or private nature.

DISSOLUTION OF THE ASSOCIATION

25

- a) The Association may be wound up voluntarily in a General Meeting of the members convened for that purpose by way of 'special resolution' (see interpretation on page 3) i.e. by not less than 75 per cent of the members present and entitled to vote in compliance to section 24 of the Act. No postal or proxy votes shall be allowed under this clause.
- b) The Association may be wound by orders of the Supreme Court of Western Australia.
- c) If upon the winding up of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or

distributed amongst the members or former members, but shall be given or transferred to another Association incorporated under the Act which has similar objects or for charitable purposes. Which Association or purposes, as the case requires, shall be determined by resolution of the members.

26

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 parties during the course of 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 the purpose of 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.

27

PRESCRIBED FORMS

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

PAWA-1	Application for Membership
PAWA-2	Proxy Voting Form
PAWA-3	Postal Voting Form
PAWA-4	Nomination Form as Member on the Executive Committee
PAWA-5	Charge Handing / Taking over Form
PAWA-6	Register of Assets
PAWA-7	Register of Members
PAWA-8	Register of Executive Committee Members
PAWA-9	Resignation Form

END