



## **CONSTITUTION OF JAFFNA HINDU COLLEGE ASSOCIATION (ONTARIO) CANADA**

### **1. NAME OF THE CONSTITUTION**

This constitution shall be called the constitution of the Jaffna Hindu College Association (Ontario) Canada.

### **2. NAME OF THE ASSOCIATION**

The association shall be called the Jaffna Hindu College Association (Ontario) Canada.

### **3. OFFICE AND ADDRESS**

Unless the Executive Committee of the Association, set up and functioning by and under Section 8 and 11 of this constitution, decides otherwise, the address of the association shall be the address of the Secretary. at which address the office of the association shall be. All files and minutes books records and other documents of the association shall generally be kept at this address.

### **4. AIMS AND OBJECTIVES**

The aims and objectives of the association shall be:

- I. To work for the betterment of the Jaffna Hindu College and its activities.
- II. To foster fraternity among the students of the Jaffna Hindu College, past and present.
- III. To raise funds, whenever possible for the Jaffna Hindu College by organizing functions, cultural shows, music recitals etc., and by any other legitimate means.
- IV. To contribute to the educational advancement of needy children and students in our community by sponsoring them to pursue studies.

### **5. MEMBERSHIP:**

There shall be three types of members: Annual members; Life members; and distinguished members. Every member shall agree to uphold and abide by the constitution of the Association.

## I. ANNUAL MEMBERS

Old boys of Jaffna Hindu College, Members of the college teaching and non teaching staff past and present, shall be entitled to be annual members of the association on payment of an annual subscription of a sum of money, determined time to time by the Executive Committee of the Association. set-up and functioning under section 8 and 11 of the constitution. The current annual membership fee as determined by the executive committee shall be specified in the adopted Jaffna Hindu College Association (Ontario) Canada Bylaws.

## II. LIFE MEMBERS

(i) All those entitled to be annual members become life members on payment of a once and for all subscription of a sum of money, determined time to time , by the Executive Committee of the Association. set up and functioning under Section 8 and 11 of the constitution. The current life membership fee as determined by the executive committee shall be specified in the adopted Jaffna Hindu College Association (Ontario) Canada Bylaws .

(ii) Anyone duly enrolled as a Life Member of the Association on payment of a once and for all subscription, he or she shall, for the rest of his or her life, remain a life member of the Association. Notwithstanding any subsequent changes in the amount of money required to be paid as the once and for all subscription for Life membership.

## III. DISTINGUISHED MEMBERS

Anybody who has rendered, in the opinion of the Executive Committee of the Association set up and functioning under sections 8 and 11 of the constitution, or in the opinion of the Association itself, has provided exceptional service to the Jaffna Hindu College or the Association but is not entitled to be an annual or a life member, can be made a Distinguished Member of the Association by the Executive Committee, or by the members of the Association at a General Meeting as the case may be. A distinguished member shall not be eligible for voting or to contest in the election for any of the office bearer positions or for the executive member position.

## IV. PATRONS:

There shall be not more than five patrons for the association including the principal of Jaffna Hindu College who shall be the permanent patron of the association, and the other four patrons shall be nominated by the members of the association initially for a period of three years at each Annual General Meetings, to be held as hereinafter provided for in Section15 of this constitution. and there after they shall be replaced or re-nominated at the expiration of the their three year period. Whenever a vacancy falls as a result of resignation or otherwise, it shall be filled at a subsequent Annual General Meeting immediately following the resignation or whatever other reasons may be.

## 6. MEMBERSHIP – RIGHT OF PARTICIPATION

I. **Member in Good Standing:** A member shall be deemed in good standing when He or She has paid the Membership fee and become an Annual or Life member minimum 30 calendar days before a General Meeting.

II. Any Good Standing member of the Association shall have the full rights of participation in, and in voting at any and all of the annual general and special meetings of the Association and shall be eligible to hold any office in the Association or any committee or sub- committee of the Association.

## 7. OFFICE BEARERS:

Any members who has been in good standing order with the JHCA Canada and had served in the Executive Committee for at least two (2) years shall be eligible to be elected to the office of the PRESIDENT, SECRETARY or TREASURER. As stated in 6. I.

Any members who has been in good standing order with the JHCA Canada shall be eligible hold the office in the Executive Committee. As stated in 6. I.

### I. PRESIDENT

A president shall be elected at every Annual General Meeting.

### II. VICE PRESIDENT

A vice president shall be elected at every Annual General Meeting.

### III. SECRETARY

A secretary shall be elected at every Annual General Meeting.

### IV. ASSISTANT SECRETARY

An assistant secretary shall be elected at every Annual General Meeting.

### V. TREASURER

A treasurer shall be elected at every Annual General Meeting.

### VI. ASSISTANT TREASURER

An assistant treasurer shall be elected at every Annual General Meeting.

### VII. WEB MASTER

A web master shall be elected at every Annual General Meeting.

## 8. THE EXECUTIVE COMMITTEE

I. The executive committee of the Association, referred to hereinafter as the executive committee, shall be vested with the entire executive authority of the Association.

II. It shall consist of the president vice president, secretary, assistant secretary, treasurer, assistant treasurer, web master and twelve (12) other good standing members, elected at every Annual General Meeting.

## 9. OFFICE BEARERS – TENURE OF OFFICE, SELECTION, OBLIGATIONS AND VACANCIES BETWEEN TWO ANNUAL GENERAL MEETINGS

I. Any office bearer or member of the executive committee shall, once elected, hold the office till the next Annual General Meeting, unless he or she resigns or otherwise relinquishes he or she office or membership of the Executive Committee or fails to honour the obligations as stated in 9. II, and 9.IV, as the case may be, earlier.

II. Any committee member who is absent for three (3) consecutive meetings of the Executive Committee shall cease to hold office after the last meeting except when he obtains prior permission from the secretary to be absent for a valid reason. The Executive Committee shall confirm this not later than at the next Committee meeting and inform him in writing to that effect. The Executive Committee shall elect an eligible member to fill any such vacancy by a majority vote.

III. No member shall be eligible to be elected as office bearers of the association to any office for a period of more than five (5) years in total except that no member shall be eligible to be elected for the same position for a period of more than two (2) years consecutively, or three (3) years in total. Additionally, no member shall be eligible to be elected to the executive committee for a period of more than ten (10) years in total. This clause shall become effective from the 2025 Annual General Meeting.

IV. Any Executive Committee member who acts contrary to the provisions of the constitution or against the interests of the Association shall have his or her conduct inquired into by the Committee after he or she is given the opportunity to explain his conduct. If he or she is found guilty, the committee may warn him or her, suspend for a period not exceeding three (3) months, or remove him or her from the Committee by a majority vote of the Executive Committee. The member concerned shall be informed in writing of the decision.

V. If any of the posts in 7 I to VII or any position in the executive committee falls vacant between two Annual General Meetings, the executive committee may elect a member of the Association to fill each such vacancy, until the next Annual General Meeting.

VI. 9.II & III shall not be applicable to the web master.

## 10. OFFICE BEARERS & PATRONS – FUNCTIONS:

### I. PRESIDENT

- (i) The President shall preside at General Meetings and Executive Committee Meetings
- (ii) He shall generally steer the activities of the Association and the Executive Committee.

### II. VICE PRESIDENT

Whenever the President is not available, the Executive Committee shall elect the Vice President to perform the functions of the president. The vice-president shall also perform all such duties and exercise such powers as the executive committee may prescribe.

### III. SECRETARY:

- (i) The Secretary shall be generally responsible for all organizational and secretarial work of the association acting under the directions of the Executive Committee.
- (ii). The Secretary of the Association elected and functioning as, herein after provided for by 7. III and 9.V shall maintain an up to date register of all the members of the association of all categories by category by category.
- (iii)The Secretary shall maintain an up to date register of all members' contact information including telephone number and email address.

### IV. ASSISTANT SECRETARY:

- (ii) The Assistant Secretary shall be entitled to function as the Secretary with the concurrence of the Secretary or President if the Secretary is, for any reason, is unable to perform the duties. He or She shall also perform all such duties and exercise such powers as the executive committee may prescribe.

### V. THE TREASURER

- (i) The Treasurer shall be responsible for all financial transactions of the Association.
- (ii) The financial transactions of the Associations shall be through and / or with the Treasurer. The Treasurer shall maintain a cashbook, which shall show at any time all cash and cheque receipts and payments that reflect the cash and bank balance at such time, in accordance with the generally accepted accounting principles.
- (iii) The Treasurer shall submit, at each Executive Committee Meeting, a complete account of the financial transactions of the previous pertaining to the Association.
- (iv) The Treasurer shall report to the Executive Committee, at each of its meeting, the balances in the various accounts of the Association as at last day of the withdrawals from and credits to each of the accounts from such day to the day of the meeting.
- (v) The Treasurer shall submit at the Annual General Meeting an Annual Statement of Accounts, duly audited by the Auditor elected a provided for in Section 14 of this Constitution, and approved by the Executive Committee.
- (vi) The Treasurer shall submit an annual financial statement to the Executive Committee Meeting for a review and approval, at least three weeks prior to the Annual General Meeting.
- (vii) The cash book shall be balanced at the end of every Month by the treasurer or the assistant treasurer with the concurrence of the treasurer. The cashbook balance shall be reconciled if deemed necessary by the Treasurer, the balances indicated by the statements pertaining to the current savings, deposits or other accounts of the association with banks or any other financial institution.

## VI. ASSISTANT TREASURER

- (i) The Assistant Treasurer shall help the Treasurer in the discharge of his functions.
- (ii) The Assistant Treasurer is entitled to function as the Treasurer with the concurrence of the treasurer or the President if the Treasurer is, for any reason unable to, perform his or her duties. He or She shall also perform all such duties and exercise such powers as the executive committee may prescribe.

## VII. PATRONS:

Patrons shall advise the executive committee and the association, whenever they feel necessary, and generally, guide and assist the activities of the Association and the Executive Committee.

## 11. THE EXECUTIVE COMMITTEE – POWERS AND FUNCTIONS

- I. The Executive Committee shall be the sole responsibility of all the executive powers of the Association.
- II. The Executive Committee is vested with the sole responsibility of the Executive Powers of the Association. Executive Committee shall meet at least once a month. If for any unforeseen reasons that the meeting is not held during the month, all measures should be taken to hold the meeting the following month.
- III. The quorum for Executive Committee meetings shall be nine (9) members of which at least two shall be the President or Vice-President, and the Secretary or Assistant Secretary of the Association. The President shall preside at all meetings, and in his absence the Vice-President shall preside provided that the President is not presiding any meeting.

## IV. WEB MASTER

- (i) The web master shall be responsible for the association's web site **"jhcacanada.com"**
- (ii) The web master shall update and modify the web, on the email request from the president or secretary.
- (iii) The web master shall make sure that no documents in the web will be deleted; instead, they shall be archived in the web.

## 12. SUB COMMITTEE

- I. The Executive Committee may from time to time set up subcommittee, each with a chairman ~~and~~ a convener, and as many members as shall be deemed necessary by the executive committee, and charged with the performances of a specific function or functions, and / or a task or tasks.
- II. The President, Secretary and Treasurer shall be the Ex Officio members of all such committees.

III. Each such subcommittee shall have, subject to being accountable and answerable to the Executive Committee, full executive authority for the performances and fulfillment of the function / functions and / or task entrusted to it.

IV. Each subcommittee shall at every executive committee meeting, report to the executive committee, the progress made by it, the commitments made by it, and expenses incurred by it, in the performances or fulfillment of the function or functions and / or task or tasks entrusted to it, and also about other matters pertaining to and/or arising, out of such function or functions and / or task or tasks, all of which are relevant to the period between the current Executive Committee Meeting and the next executive committee meeting as deemed by the executive committee.

V. The report shall be made by the Chairman of the relevant Sub Committee, or in his absence, by the Convener, or if both the Chairman and the Convener are absent, by a member of the subcommittee authorized by the Chairman or the Sub Committee.

VI. The meetings of each subcommittee shall be summoned by its Convener at the instance, or with the acquiescence or consent or concurrence or its Chairman.

VII. Any subcommittee requiring vested special powers and length of functionality for more than one year, is subject to approval to extend a maximum of 1 year at an Annual or Special General Meeting.

### 13. FUNDS, FINANCIAL TRANSACTIONS AND FINANCIAL ADMINISTRATION AND FINANCIAL POWERS

I. The association shall have full financial powers including the power to borrow from individuals or institution, to be exercised by the Executive Committee through the Treasurer.

II. The funds of the association shall be administered by the executive committee, exclusively and solely through the Treasurer.

III. The Treasurer shall be entirely, exclusively and solely responsible, accountable and answerable to the Executive Committee for all the financial transactions of the Association.

IV. All financial transactions of the association shall be exclusively through and / or with the Treasurer.

V. All the bank accounts of the association and all the financial investments of the association shall be administered by the Treasurer subject to the direction and control of the Executive Committee.

VI. (i) Any and all funds collected or received by the Association shall be deposited in full by the Treasurer into the current account of the Association within one week of the receipt of such money or funds.

(ii) No payments may be made out of the money referred to in 13.VI.(i).

(iii) If any payments are outstanding, cheques should be drawn on the bank meet such payment or payments.

(iv) Once receipts are deposited into the current account of the Association, the Executive Committee may direct the Treasurer to transfer any part or the whole of the receipts, to any other savings or fixed deposits account, or, to invest any part of the whole of the receipts in any manner determined, or approved, by the committee.

(v) The treasurer may, on his initiative, but after obtaining the concurrence of the Executive committee, make any of the transfers or investments referred to 13. VI (iv).

(vi) All money realized as subscription for life membership shall always be kept in fixed deposit.

(vii) Any withdrawals from any fixed deposit or investment referred to (iv) and (vi) above other than for the purpose of reinvestment can be made only with the concurrence of not less than the two thirds of the members present and voting at an Annual General Meeting or at a Special General Meeting, provided one month's notice shall have been given of the resolution relating to such withdrawals. Provided however other matters, of which constitutionally adequate notice has been given to the members, also may be discussed and/or determined at the same General Meeting.

(viii) The treasurer shall, unless otherwise directed by the Executive Committee, maintain a three columnar Cash Book, which shall show at any time all cash and cheques receipts and payments up to such time and reflect the cash and bank balance at such time.

(a) The cash book shall be balanced at the end of every month by the treasurer or the assistant treasurer with the concurrence of the treasurer.

(b) The cash book balance can be reconciled, if reconciliation is necessary, by the Treasurer, with the balances indicated by the statements pertaining to the current, savings, deposit or other accounts of the association with banks or any other financial institution.

VII. Subcommittees may be elected by the Association or the Executive Committee to be in charge of any specific project or projects and the funds in respect of the project or projects.

(i) Any such subcommittee shall handle the funds in respect of those specific project or projects to be in charge of which it has been elected, in the manner it considers appropriate and in compliance with Article 13, Section VI.

(ii) Any such committee shall be empowered to open an operate Deposit and/or Current Accounts with any bank or financial institution at its discretion and in compliance with Article 13, Section VI.

(iii)

(iv) Any such subcommittee shall continue to function until the specific project or projects in charge to which it has been setup is complete.

(v) Any vacancy in the subcommittee occurring by the resignation of a member, or any other reason, shall be filled by the subcommittee itself.

(vi) The subcommittee shall have the power to coopt other members to it as it considers necessary.

(vii) Such a subcommittee shall report to the executive committee from time to time and, in any case, at least of the project or projects in charge of which it is.

(viii) Any subcommittee functioning in charge of any project at the time of adoption of this constitution shall be deemed to be a subcommittee elected under Article 13, Section VII, of this constitution, shall have all the powers of this section viz. Article 13, Section VII, and shall function until such time as the project it had been elected to be in charge is completed.



(ix) The provisions of this Section, viz. Article 13, Section VII of this constitution will apply notwithstanding anything to the contrary in any other Article, Section, Subsection or Clause of this constitution.

#### 14. AUDITOR

The association shall, at each Annual General Meeting held as provided for in Section 15 of the constitution, elect an Auditor, who shall audit the Accounts of the Association recording, or pertaining to, the funds, finances, or the financial transactions of the Association.

#### 15. ANNUAL GENERAL MEETING

I. The Annual General Meetings shall be held every year.

II. Not less than 45 calendar days notice must be given of each such meeting by e-mail to the members. In addition, this notice shall be posted on the JHCA Canada website at least 45 calendar days before the meeting.

III. The following documents shall be sent to every member, 14 calendar days before the Annual General Meeting:

- (i) The audited statement of accounts for the year immediately preceding,
- (ii) The Secretary's report about the activities during the year immediately preceding, of the Association, of the executive committee, and of any subcommittee as may have been set up ~~and~~,
- (iii) Any resolution and/or resolutions and/or amendment or amendments to the constitution, which would be moved on behalf of the Executive Committee at the meeting.

IV. Notices and the text or texts as the case may be, of any

(a) Resolution or resolutions and/or

(b) Any amendment or amendments to the constitution a member wishes to move at the Annual General Meeting should be sent to reach the Secretary not later than eight (8) clear days prior to the day of the Annual General Meeting.

V. The quorum for an Annual General Meeting shall be 30.

VI. The Annual General Meeting of the Association shall be held no later than thirteen (13) months following the immediately preceding one, failing which the meeting may be called by a requisition signed by at least thirty (30) members, giving due notice as required by the constitution, and shall be presided over by any member elected by majority vote at the meeting.

## 16. SPECIFIC GENERAL MEETINGS

I. A Special General Meeting may be summoned either at the discretion of the Executive Committee, or on the written request of not less than twenty (20) members other than the members of the Executive Committee made to one of the Presidents, or the Secretary, or to the Executive Committee, to discuss and/or decide and/or resolve, any matter or matters as the Executive Committee or the requisitioning twenty members, as the case may be, think fit.

II. If and when not less than twenty members make a written request for the summoning of a Special General Meeting, such a request should be accompanied by a written statement of the matter or matters they wished to be discussed, and/or decided, and/or resolved at the meeting.

III. A special meeting shall be summoned to meet not later than three (3) weeks from the date of the General Meeting, or, of the requisitioning of the Special General Meeting by no less than twenty (20) members, as the case may be.

IV. Notice of the Special General Meeting.

(i) Seven (7) days notice shall be given to the members of a Special General Meeting.

(ii) The notice of a Special General Meeting shall indicate the matter or matters to be discussed, and/or decided and/or resolved, at the Special General Meeting.

V. No matter, other than that, or those, which a Special General Meeting has been summoned to discuss and/or decide, and/or resolve, shall be discussed, and/or decided, and/or resolved, at the Special General Meeting.

## 17. AMENDMENTS TO THE CONSTITUTION

I. Any amendment or amendments to this constitution or any of its Article or Sections or Clauses can be effected only at an Annual General Meeting or at a Special General Meeting.

II. Every such amendment referred to in 17.I shall be specific resolution.

III. Notice and the text of every such resolution referred to in 17 II. shall accompany the notice summoning the General Meeting at which it would be taken up for adaptation.

IV. (i) A resolution to amend and/or repeal any Article and/or any Section and/or any Subsection and/or any clause of this constitution and/or to add any Article and/or any Section and/or any Subsection and/or any clause, may be taken up for consideration and/or adaptation at a General Meeting, notwithstanding anything in 17. III., even if no prior notice has been given of such resolution, provided that the members present at the meeting consent so to take up the resolution for consideration and/or adoption.

(ii) The consent of the majority of the members present and voting at the meeting shall be deemed to be the consent of the members present at the meeting.

(iii) The consent of the members present at a meeting shall be ascertained by vote if there is any dissent.

V. Any amendment to the constitution to be considered as adopted should be accepted by no less than two thirds of the members present and voting at the General Meeting at which the considered for adoption.

VI. Any resolution to repeal any Article and/or any Section and/or any Subsection and/or any Clause of the constitution; as well as any resolution to add to this constitution any such Article or Articles and/or Section or Sections and/or Subsection or Subsections sand/or Clause or Clauses, shall be considered a resolution to amend the Constitution.

VII. The entire constitution may be repealed and replaced by a new Constitution by one resolution provided, however, the new constitution is adopted Article by Article, Section by Section and Clause by Clause and provided that the entire constitution shall not be repealed even with consent of not less than two thirds of the members present at voting at the General Meeting at which the resolution for such repeal is considered unless it is at the same time replaced by a new constitution.

## 18. FOR THE PROTECTION OF COMMITTEE MEMBERS

(i) **Liability:** The President, every member and officer of the Association and their heirs, executors, administrators, and estate and effects, respectively, shall at all times be indemnified and saved harmless out of the funds of the Association and the College from and against all damages, loss, costs, charges and expenses whatsoever which they sustain or incur in or about any action, suit or proceeding which is brought, commenced or prosecuted against them for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by them in or about execution of their duties, all except in respect of any act, deed, matter or thing with respect to which they are held to be guilty of willful neglect or default.

(ii) **Conflict of Interest:** No members of a Committee shall participate in any discussion or vote on any matter in which they or a member of their immediate family has potential conflict of interest due to having material economic involvement regarding the matter being discussed. When such a situation presents itself, the member must announce their potential conflict and be excused from the meeting until discussion is over on the matter involved. The chair of the meeting is expected to make inquiry if such conflict appears to exist and the Member has not made it known.

## 19. NUMERATION

In the constitution, Arabic numerals are used to number the Articles. Capital. Roman numerals are used to number the Sections. Small Roman numerals are used to number the Subsections, small English alphabet used to number the Clauses.

20. This Constitution shall be the only Constitution of the Jaffna Hindu College Association (Ontario), Canada unless and until such time as it is repealed and replaced by another Constitution as provided for in Article 17, Section VII.

Amended on November 9, 2024 SGM.

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