

# CONSTITUTION OF THE OLD RAJSHAHI CADETS ASSOCIATION (ORCA) AUSTRALIA

*Under the Associations Incorporation Act 2009*

*[Adopted by ORCA-Australia AGM held on 3<sup>rd</sup> February 2018]*

## **Part 1 Preliminary**

### **1.1 Name of the Organisation**

The name of the organisation is "**Old Rajshahi Cadets Association, Australia**". In short, referred to as "**ORCA - Australia**".

### **1.2 Nature**

This is a non-political and not for profit social, voluntary and charitable organisation comprising the ex-cadets (Alumni) of the Rajshahi Cadet College, Bangladesh, living in Australia and New Zealand dedicated to foster their brotherhood and common interests.

### **1.3 Objectives**

ORCA-Australia shall pursue its aims and goals under this constitution and the broader objectives of ORCA. Aligned with the objectives of ORCA, the specific objectives of ORCA- Australia are:

- (1) to develop and foster brotherhood and sense of togetherness among the ex-cadets of Rajshahi Cadet College living in Australia and New Zealand;
- (2) to act as a platform of communication, recreation, and other developments of the members;
- (3) to help and extend co-operation to the members in their educational, social, professional and other needs;
- (4) to take practical steps, like arranging get-togethers and seminars in furtherance of the over-all objectives of ORCA;

- (5) to take any lawful course of action that might serve the greater interest of the members and their families;
- (1) to identify, sponsor and fund welfare oriented charitable projects in Australia, New Zealand and in Bangladesh;
- (2) to co-operate and work with other organisations pursuing similar objectives.

#### 1.4 **Creation of other affiliated body(ies)**

The management committee (MC) can create as many body or bodies in furtherance of the objectives of the ORCA and ORCA-Australia. The terms of reference for creating such a body or bodies, including financing, will be determined by the MC.

## **Part 2 Membership**

### **2.1 Membership: Life, Financial, Non-Financial and Associate**

- 2.1.1 Life members: A member can become a life member by making one off contribution of AUD \$1,000. The Lifetime membership dues will be a one-time fee and shall be reviewed and determined as deemed necessary by the MC. A Life Member remains a Financial Member till death.
- 2.1.2 Financial Member: All former cadets of Rajshahi Cadet College living in Australia and New Zealand shall be eligible to apply to become a Financial Member of ORCA – Australia and, who shall undertake to abide by the rules and regulations laid down in this constitution and shall pay membership subscription as may be determined by ORCA-Australia Management Committee, herein after referred to as (MC), from time to time.
- 2.1.3 A member remains a Financial Member only for one financial year. The Financial Membership will cease on the end of the Financial year unless the member has renewed the membership by paying the fees as determined by the MC for that year.
- 2.1.4 Non-Financial: Any former cadet of the Rajshahi Cadet College living in Australia and New Zealand remains as a Non-Financial Member unless he pays the annual subscription for that year and formally applies for membership.
- 2.1.5 (a) A Non-Financial Member can become a Financial Member by filling out the Membership Application and paying the annual subscription for the financial year.

2.1.6 Associate Membership: Spouses and children of the ex-cadets of the Rajshahi Cadet College and former employees of the Rajshahi Cadet College, their spouses and children living in Australia and New Zealand are eligible to apply to the MC through the General Secretary to acquire Associate Member status after paying an annual subscription to be determined by the MC from time to time. The Associate Members will not have any voting right but will enjoy all other rights of a member.

### **3. Rights and Privileges of Members:**

#### **3.1 Life and Financial Members:**

- (a) Every Financial Member (FM) is entitled to receive notice of all general meetings of ORCA-Australia. The notice shall be accompanied by the financial statement of the previous financial year verified by audit committee or audited by a registered auditor.
- (b) Every FM shall have the right to be present at all meetings of the Members' Assembly and can vote on resolutions.
- (c) Every FM shall be entitled to receive of a copy of any publications of ORCA-Australia, at a price or free as determined by the MC.
- (d) Financial Members shall elect the Management Committee and shall appoint Auditor/audit committee in a manner stated herein after.
- (e) A Financial Member is entitled to appoint a proxy and the proxy shall enjoy the same rights of a Financial Member.

#### **3.2. Non-Financial and Associate Members:**

- (f) Non-Financial and Associate Members can be present at the general meeting. However, they are not entitled to any notice.
- (g) Non-Financial and Associate Members can have observer status at the meeting and can neither take part in the deliberations of the meeting nor can vote.
- (h) A Non-Financial or an Associate Member can participate at the general meeting on invitation by the MC. However, a Non-Financial Member or an associate Member cannot vote.

#### **4. Cessation of Membership:**

A person shall cease to be a member of ORCA-Australia:

- a) If a member resigns by giving a written notice addressed to the MC through the General Secretary of ORCA-Australia. The MC shall consider the application for resignation in its next meeting after the receipt of the application, and the resignation will be effective from the date of such a meeting when the application was considered.
- b) Membership will automatically cease if a member is declared of unsound mind by a competent authority, or if the member is found guilty by a court for moral turpitude.
- c) Membership will cease on the ground of non-payment of annual membership fees. The MC shall notify the member of the dues on membership fees at least 3 (three) months prior to Annual General Meeting. The MC can determine the termination of membership on non-payment of Annual fees. Before such a determination is made the member must be reminded in writing of the dues on his membership.
- d) A person ceases to be a member of the ORCA-Australia in the event of the person's death, expulsion from the organisation or failure to fulfil the financial and other obligations. Membership entitlements remain non-transferable.

#### **5 Member's fees/subscription**

**5.1 Subscription/Fees:** The amount of any membership subscription/fee shall be decided from time to time by the Management Committee (MC). The membership subscription is subject to approval of the Members' Assembly.

**5.2** The annual membership dues for various categories of membership shall be reviewed and determined as deemed necessary by the MC. The Lifetime membership dues will be a one-time fee and shall be reviewed and determined as deemed necessary by the MC.

## **6 Application for membership**

- 6.1 An application by a person for any category of membership of ORCA- Australia must be made in writing (including by email or other electronic means) in the form determined by the Management Committee (MC). The application for membership will be lodged to the General Secretary (GS) for approval of the MC. If approved, the General Secretary will request the applicant to pay the membership and other fees within 30 days after the date of approval of the application by the MC.
- 6.2 On payment of the membership fee by the due date as prescribed by the MC the applicant will become a Member of the category as applied and approved by the MC.
- 6.3 On becoming a member his/her name will be registered in the respective category of members. The entry of the name in the membership register shall be conclusive evidence of becoming the member.
- 6.4 The General Secretary of ORCA-Australia shall maintain separate Register of each category of members, namely, Life Members, Financial Members and Associate Members.

## **7. Organisational Structure**

7.1 ORCA-Australia shall operate through the following organs:

- (i) The Members' Assembly (MA), and
- (ii) The Management Committee (MC)

### **7.2 The Members' Assembly**

7.2.1 The Members Assembly shall be composed of all the Life and Financial Members of ORCA-Australia.

7.2.2 The Members Assembly shall elect the MC of ORCA-AUSTRALIA in its alternative Annual General Meeting (AGM) in a manner stated herein after, and approve the name of Auditor/ elect Audit Committee in accordance with the prescribed rules stated herein.

7.2.3 The Members Assembly shall have the power to approve, amend, and adopt the constitution, approve any and all project(s) and to cancel any such project with a 2/3rd (two third) majority of the participants which is to be recorded in writing.

7.2.4 The Members Assembly in its AGM shall consider and approve the reports of the General Secretary and the financial statement presented by the Treasurer.

7.2.5 The Members Assembly shall consider overall directions and matters of general policy of ORCA-Australia.

7.2.6 Take decision on such other things as may be necessary in achieving the broader objectives of ORCA-Australia.

7.2.7 It shall have the authority to decide on the creation of any trust in achieving the wider objectives of ORCA-Australia.

## **8. The Management Committee (MC)**

### **8.1 Composition**

8.1.(a) The Management Committee shall have the following Office Bearers elected for a two-year term from among Life and Financial members at an alternative AGM.

8.1(b) The MC shall consist of following 11 (eleven) members:

- i. President
- ii. Vice-President
- iii. General Secretary
- iv. Joint General Secretary
- v. Treasurer
- vi. Cultural Secretary

- vii. Publicity and Publications Secretary
- vii. Executive Members (four).

## **8.2 Functioning of Management Committee**

- 8.2(a) The MC shall be directly elected by the Life and Financial Members for a two-year term in a manner prescribed herein later in this constitution.
- 8.2(b) The term for the MC shall commence on the day it is elected and end with the election of a new MC. There is no limit on the maximum number of consecutive terms for which a committee member may hold office.
- 8.2(c) The MC may exercise all the powers of ORCA-Australia except any powers that this constitution requires the Members Assembly to exercise in its meeting.
- 8.2(d) The activities of ORCA-Australia are to be managed by or under the direction of the MC.
- 8.2(e) MC may function either directly or through such committees of office bearers or others, as it may deem fit, with delegation of powers and responsibilities vested on it.
- 8.2(f) MC may form Sub-Committees to help it better manage the activities of ORCA-Australia. The number of sub-committees, their composition, functions and terms of reference are to be determined by the Executive committee from time to time.
- 8.2(g) The MC shall control, supervise, direct and guide the activities and affairs of its branches in a manner as it may lay down from time to time in accordance with ORCA-Australia rules and regulations.
- 8.2(h) The MC shall receive and disburse all resources exclusively for the benefit of ORCA-Australia and may create a reserve fund.
- 8.2(i) The MC may liaise with any other national or international bodies or individual persons in achieving the objectives of ORCA-Australia.

- 8.2(j) The MC may seek aids or any other types of assistance, in cash or in kind, from national or international sources for the benefit of ORCA-Australia.
- 8.2(k) MC shall have the responsibility to frame rules and procedures as and when deemed expedient. These framed rules and procedures shall have to be approved in the next Members' Assembly meeting by a simple majority vote.
- 8.2(l) All members of the MC shall be accountable to the Members Assembly. All MC members except the President shall directly report to the President.
- 8.2(m) The MC in the first meeting after the election of the MC shall prepare an 'Action Plan' for a financial year including an estimation of expenditure involved for that financial year.
- 8.2(n) The MC shall try to implement the 'Action Plan' as prepared by it in its first meeting.

### **8.3 Functions of the office bearers**

This Part sets out some of the most significant duties of office bearers of ORCA-Australia.

#### **8.3.1 President:**

- 8.3.1(a) The president shall guide, supervise and inspire the activities of ORCA-Australia.
- 8.3.1(b) His interpretation of Rules in this constitution shall be deemed final.
- 8.3.1(c) He shall preside over the meetings of the MC and the Members Assembly.
- 8.3.1(d) While presiding over the meeting he shall have no vote of his own but shall have a casting vote in case of equality of votes on any matter to be decided by vote.
- 8.3.1(e) He shall be one of the signatories for the operation of all bank accounts of ORCA-Australia.



### **8.3.2 Vice President:**

The Vice President shall have the same powers and duties as the President in the latter's absence. The President may from time to time delegate some of his duties to the Vice President.

### **8.3.3 General Secretary:**

- 8.3.3(a) The General Secretary shall act as the spokesman for the MC.
- 8.3.3(b) Subject to the direction and supervision of MC, he shall be responsible for the conduct of affairs of ORCA-Australia.
- 8.3.3(c) The General Secretary shall in consultation with the President convene the meetings of MC and Members' Assembly, and maintain proper records of the minutes of all such meetings.
- 8.3.3(d) He shall be responsible for keeping the books of accounts and office records in order and shall correspond on behalf of ORCA-Australia on its day-to-day affairs.
- 8.3.3(e) He shall prepare annual report on the implementation of the "Action Plan" of the MC adopted at its first meeting. The report shall be presented to the MC at its last meeting prior to the AGM. Once the report is approved by the MC the GS shall present the approved report at the AGM on behalf of the MC.
- 8.3.3(f) He shall delegate such of his powers to the Joint General Secretary or to any other member of the MC as deemed necessary.
- 8.3.3(g) He shall do such other things as may be conducive to the aims and objectives of ORCA-Australia.
- 8.3.3(h) The General Secretary shall be the custodian of all records of ORCA-Australia. He shall keep and maintain members' registers.
- 8.3.3(i) The General Secretary shall receive applications from persons wishing to become a member of ORCA-Australia. On receipt of the membership application the General Secretary shall include the application in the next MC meeting. After the meeting he shall communicate with the applicant the decision of the MC regarding the application, and shall take necessary actions to implement the resolutions of ORCA-Australia meetings.

#### **8.3.4 Joint General Secretary:**

The Joint General Secretary shall assist the General Secretary as required by the latter and shall act as General Secretary in the latter's absence.

#### **8.3.5 Treasurer:**

- 8.3.5(a) The Treasurer shall be the Chief Financial Officer and the custodian of all funds of ORCA-Australia. The treasurer shall maintain all accounts of ORCA-Australia.
- 8.3.5(b) Treasurer shall be responsible to organize and collect all fees, dues, membership fees and other payments and keep all accounts.
- 8.3.5(c) He shall maintain the accounts of ORCA-Australia and deposit money and cheques to the bank account and reimburse money as per direction of the President.
- 8.3.5(d) He shall be responsible to raise fund for ORCA-Australia at the direction of the MC. The Treasurer shall be a signatory of all bank accounts of ORCA-Australia along with the President and the General Secretary.
- 8.3.5(e) The treasurer shall present a financial statement to the MC in all its meetings.
- 8.3.5(f) The Treasurer shall prepare an annual financial statement which shall be certified by the Audit Committee or Audited by a registered auditor, as the case may be.
- 8.3.5(g) The Treasurer shall present audited/verified by the audit committee a yearly financial statement at the AGM.

### **8.3.6 Cultural Secretary**

The cultural secretary shall organise all cultural, sporting, social and other recreational activities of ORCA-Australia as decided by the MC in order to enhance the image of the organisation and to further strengthening bondage among the members.

### **8.3.7 Publicity and Publications Secretary**

8.3.7(a) The Publicity and Publications Secretary shall be responsible for all publications of ORCA-Australia as decided by the MC from time to time.

8.3.7(b) The Publicity and Publications Secretary shall manage maintain and oversee ORCA-Australia website in pursuance of the general interest of the organisation.

8.3.7(c) The Publicity and Publications Secretary shall be responsible for all communications and networking by disseminating information on the activities of ORCA-Australia and by outreaching other communities on behalf of the organisation.

8.3.7(d) The Publicity and Publications Secretary shall not print, publicise in any print or electronic media any item without the prior consent of the President.

8.3.7(e) No MC member and other office bearer shall have the right to issue press statements about ORCA-Australia without the prior approval of the President. Any MC member including the office bearers violating this condition shall be liable to be removed from membership of the MC.

### **8.3.8 Executive Members:**

8.3.8(a) There will be four executive members in the MC.

8.3.8(b) Members shall take part in all MC meetings, and as a member of the management team take part in various committees, sub-committees in order to achieve the broader objectives of ORCA-Australia; and take active role in implementing the activities of ORCA-Australia.

## **9. Meetings:**

### **9.1 Meetings of the Members' Assembly:**

- (i) An Annual General Meeting (AGM) must be held within 3 (three) calendar months of the end of a financial year. Apart from the AGM the MC may decide to hold a general meeting, known as extra-ordinary general meeting, as and when necessary.
- (j) The meeting of the Members' Assembly shall be called by the General Secretary in consultation with the President at such time and place and to transact such business as may be determined by the MC at least once in a financial year. Such meeting will be called an Annual General Meeting.

### **9.2 Management Committee Meeting:**

- (a) The MC shall meet at least 4 times in a year at such time and place, and to transact such business as may be notified by the General Secretary in consultation with the President.

9.3 **Requisition Meeting:** An Extra-ordinary meeting of any of the above bodies may be convened by the General Secretary on written requisition; in case of MC by not less than one third of its total members; and in case of Members' Assembly by not less than one fifth of its total members; stating the purpose to transact any business of emergent nature.

9.4 The minutes of all meetings, confirmed at the next meeting, shall be deemed as a valid document.

## **10. Use of technology:**

Both the Management Committee meetings and the meetings of the Members' Assembly may be called and held using any technology consented to by the MC meeting. Voting in the Members' Assembly, including election of Management Committee, can be conducted through appropriate electronic voting in accordance with the decision of the MC.

## **11. Notices:**

- (a) All notices of the meetings shall specify the date, time, place and nature of business to be transacted.
- (b) A notice may be served by the General Secretary either personally or by post, or be sent through the email address of the member, or by any other electronic means as decided by the MC.
- (c) Seven days (7) notice for the MC meeting and twenty one days (21) notice for the Members' Assembly meeting shall be sufficient.
- (d) Emergency meeting of the MC or MA to transact any emergent business may be called by giving shorter notice.

## **12. Quorum:**

- (a) The quorum for the MC meeting shall be at least 6 members.
- (b) The Members' Assembly meeting must have a quorum of at least 25% (twenty five percent) of the total number of Life and Financial Members.
- (c) If within one hour from the time appointed for the holding of a General Meeting a quorum is not present, the meeting if convened on the requisition of members, shall be dissolved. In any other case, it shall stand adjourned to the same day of the following week, and at the same time and place.
- (d) In the event of a meeting being adjourned due to lack of quorum, members present at the adjourned meeting shall constitute the quorum.

## **13. Proceeding of Meetings:**

### **13.1 Meeting of the Members' Assembly**

- (a) The President of ORCA-Australia shall preside over as Chairman at every General meeting. In his absence, Vice President, and in his absence any member of the MC chosen by the members present in the meeting shall preside over the meeting as Chairman.

- (b) Minutes of the meeting shall be kept by the General Secretary and at the commencement of the meeting the minutes of the previous meeting shall be confirmed.
- (c) The Annual General Meeting (AGM) of Members' Assembly shall consider the General Secretary's report on the activities of ORCA-Australia, and the Treasurer's report and financial statement on the income, expenditure as either audited or certified by the Audit Committee.
- (d) No business shall be transacted at any meeting unless a quorum is present when the meeting proceeds to business.
- (e) With the consent of any meeting of which a quorum is present, the Chairman may adjourn a meeting from time to time, and from place to place, as the meeting decides. Whenever a meeting is adjourned, notice of the adjourned meeting shall be given in the same manner as of an original meeting. However, if the meeting is adjourned for not more than a week, then time and place for the adjourned meeting can be declared before adjournment. No business item shall be transacted at any adjourned meeting other than the unresolved businesses, which might have been transacted, at the meeting from which the adjournment took place.
- (f) At all general meetings, a resolution, put to the vote in the meeting, shall be decided by raising of hands by a majority of the members present in person and entitled to vote. A declaration by the Chairman of the meeting that a resolution has been carried, or has been carried by a particular majority, or lost, or not carried by a particular majority shall be conclusive, and an entry to that effect in the minute book of ORCA-Australia shall be conclusive evidence thereof.
- (g) In the case of an equality of votes, the Chairman of the meeting shall be entitled to a casting vote.

### **13.2 Proceedings of the MC meeting:**

- (a) The General Secretary in consultation with the President shall decide the date, time and place along with the business to be transacted for a meeting of the MC.
- (b) MC meetings shall be held on the date, day and time mentioned in the notice of the meeting and the meeting shall only transact the business mentioned in the notice of the meeting.
- (c) All MC meetings shall be presided by the President of ORCA-Australia. If in any meeting, the President is not present within half an hour after the time appointed for holding a meeting, Vice President shall preside and in case of absence of Vice President the meeting shall be presided by a member of MC chosen by the members present to act as the Chairman of the meeting till the arrival of either the President or the Vice President.
- (d) A meeting of the members of MC at which a quorum is present shall be competent to exercise all the authorities, powers and discretions by or under this constitution vested on MC.
- (e) A resolution of the MC must be passed by a majority of votes cast by MC members on the resolution.
- (f) The members of MC may pass a resolution without a meeting being held if all the members of MC vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document. The resolution is passed when the last member signs.
- (g) Separate copies of a document may be used for signing by individual members of the MC if the wording of the resolution and statement is identical in each copy.
- (h) The resolution is passed when the last member of the MC signs.

- (i) Passage of a resolution must be recorded in the company's minute books.

#### **14. Minutes:**

- (a) ORCA-Australia must keep minute books in which it records within 1 month:
  - (i) proceedings and resolutions of MC meetings; and
  - (ii) Proceedings and resolutions of Members' Assembly.
- (b) The General Secretary must ensure that minutes of a meeting are signed within a reasonable time after the meeting by the chair of the meeting and chair of the next meeting.
- (c) The minutes books must be kept by the general secretary.

#### **15. Elections:**

The MC shall be elected by Members' Assembly in a manner provided below:

- (a) The election of the MC shall be held in alternative years during the AGM.
- (b) MC shall be elected for a term of 2 year.
- (c) The MC in deciding the date, time and place of the AGM shall also appoint a person, to be called Election Commissioner, to conduct the election of the upcoming MC, and such a person is ineligible to be a candidate in the election.
- (d) On completion of the business of the AGM where election will be held the President shall dissolve the MC and invite the Election Commission to conduct election for the following two years.
- (e) An Election Commissioner can be appointed both from amongst the members of ORCA-Australia or from outside ORCA-Australia.



- (f) The Election Commissioner may appoint up to 2 more members to assist him to conduct the election. However, these members assisting the Election Commissioner cannot be nominated for any position to be elected.
- (g) A copy of the updated membership list shall be provided to the Election Commissioner on his/her appointment.
- (h) Election Commissioner shall provide a copy of the membership list to any member of ORCA-Australia on request from that member.
- (i) The election commissioner shall invite nominations for each position of the MC.
- (j) Nominations of candidates for election must be made in from amongst Life Members and Financial Members of at least 2 consecutive years. Nominations must be in writing, signed by two Financial Members and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination).
- (k) The nominations shall be received by the Election Commissioner during the AGM. The Election Commissioner shall check the membership list in order to decide the validity of the nomination. Only persons whose name appears on the membership list is eligible to contest the election.
- (l) After receiving the nominations the Election Commissioner shall invite for any withdrawals.
- (m) The Election Commissioner shall then invite the respective proposed candidates to introduce themselves (not more than three minutes for office bearers and one minute to executive member candidates.
- (n) In case of only one candidate is nominated for a position the candidate shall be declared elected unopposed.

- (o) In case there are more than one candidate for a position the Election Commissioner shall prepare ballot papers and distribute them to the members eligible to vote.
- (p) On a poll every member present in person at the meeting shall have one vote.
- (q) The Election Commissioner shall then collect the ballot papers duly filled by the members and count them. Candidate, who polls a maximum number of votes for a position, shall be declared elected. In case of a tie, the matter shall be resolved by a lottery.
- (r) In case of any position where there was no nomination the newly elected MC shall co-opt any one from amongst the members' list to fill up the vacant position.
- (s) The outgoing MC shall convene a joint meeting of the outgoing and incoming members of the Management Committee not later than two weeks after the election to install the incoming MC and make hand over charges to it so that, after being installed, the new MC shall hold its first meeting after the joint meeting.

## **16. Casual vacancies**

In the event of a casual vacancy occurring in the MC due to death, cessation of membership, resignation, mental incapacity, the MC may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.

## **17. Accounts:**

- (a) Special bank account/s shall be opened and operated in the name of ORCA-Australia. The treasurer shall be responsible for overseeing the account/s and shall keep the MC informed in regards to the accounts.
- (b) The account/s shall be managed by three signatories, namely the President, Secretary General and the

Treasurer. Any withdrawal shall be effected by at-least two signatures including the signature of the Treasurer.

- (c) The books of account shall be kept at the office, or at such other place or places as the Management Committee shall think fit, and shall always be open to inspection by the members of MC during the MC meetings.

## **18. Audit:**

### **18.1 Auditor:**

In case of annual total gross revenue exceeding AUD \$100,000 within a financial year the accounts of ORCA-Australia shall be audited by a registered auditor appointed by the past AGM. For annual gross revenue less than AUD \$100,000 an audit committee shall verify the financial statement. No financial statement shall be presented to the AGM without being accompanied either by an audit report or being verified by the Audit committee, as the case may be.

### **18.2 Audit Committee:**

- (a) The AGM shall appoint a three (3) member committee to verify the accounts for the following financial year. The AGM shall also appoint a convener of the committee who shall co-ordinate with other members of the committee in order to verify the accounts prepared by the Treasurer.
- (b) The General Secretary shall prepare a list of possible members of the Audit Committee with the prior consent of those nominated members. The General Secretary shall propose the formation of such a committee at the AGM.
- (c) The members of the Audit Committee shall work voluntarily.
- (d) The members of the MC are ineligible to serve in the committee. In appointing the committee the professional skills of the nominated persons and their independence from the process of managing ORCA-Australia shall have to be taken into consideration.
- (e) Non-ORCA-Australia members can also serve in the committee.
- (f) The Treasurer shall liaise with the committee.

## **19. Amendment:**

The rules of this constitution shall not be amended, altered, repealed or replaced without the consent of at least two third majority of members present in Members' Assembly meeting. Meeting of which 21 (twenty one) days' notice shall have to be given stating the nature of amendments proposed.

## **20. Effect:**

This constitution shall come in force from 3<sup>rd</sup> February 2018 the date on which it is adopted by the first AGM of the ORCA-Australia.

## **21. Miscellaneous**

### **21.1 Funding sources**

21.1.1 The funds of the association are to be derived from annual membership subscriptions of members, donations, community fund raising activities and public and private sponsors or various events organised by ORCA- Australia.

21.1.2 All money received by the ORCA-Australia must be deposited as soon as practicable and without deduction to the credit of Orca-Australia's bank account.

21.1.3 The Treasurer shall, as soon as practicable after receiving any money, issue an appropriate receipt.

### **21.2 Fund management**

21.2.1 Subject to any resolution passed by ORCA-Australia in MC meeting, the funds of ORCA-Australia are to be used solely in pursuance of the objects laid down in this constitution or the manner that the MC determines.

21.2.2 All cheques, drafts, bills of exchange and other negotiable instruments must be signed by 2 authorised signatories.

### **21.3 Association is non-profit**

Subject to the Act and the Regulation, ORCA-Australia must apply its funds and assets solely in pursuance of its objects and

must not conduct its affairs so as to provide a pecuniary gain for any of its members.

**Note.** Section 5 of the *Associations Incorporation Act (NSW) 2009* defines **pecuniary gain** for the purpose of this clause.

#### **21.4 Distribution of property on winding up of association**

Subject to the Act and the Regulations, in a winding up of the association, any surplus property of the association is to be transferred to main organisation ORCA in Bangladesh or to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.

#### **22. Financial year**

The financial year of the ORCA Australia is:

- (a) a period of 12 months or such other period (whether longer or shorter than 12 months) not exceeding 18 months as the MC of ORCA-Australia resolves, commencing on the date of its incorporation, and and
- (b) each period of 12 months, or such other period (whether longer or shorter than 12 months) not exceeding 18 months as the MC of ORCA-Australia resolves, commencing at the holding of the previous AGM.

#### **23. Saving clauses:**

Unless contradictory to any provisions of this constitution any matter absent from this constitution shall be dealt with in accordance with the provisions of the model constitution.

-----:END OF CONSTITUTION:-----

# OLD RAJSHAHI CADETS ASSOCIATION (ORCA) AUSTRALIA

## MEMBERSHIP APPLICATION

PLEASE USE CAPITAL LETTERS TO FILL UP THE FORM)

NAME: .....

Batch no. .... Cadet no ..... House.....

Year passed out from the college .....

Address.....

.....

Mobile no. .... Phone no. ....

Date of birth .....

Marital status .....

If married,

Name of the spouse.....

Marriage day (optional) .....

Children (if any)

Child 1

Name .....

Date of birth .....

Child 2

Name .....

Date of birth .....

[you can add names of your other children along with their dates of birth]

[NOMINATION FORM FOR THE ELECTION OF  
MANAGEMENT COMMITTEE]

**OLD RAJSHAHI CADETS ASSOCIATION  
(ORCA) AUSTRALIA**

ELECTION OF MANAGEMENT COMMITTEE

NOMINATION FORM

Position .....

Name proposed .....

Proposed by (name and signature)

(1) .....

(2) .....

X \_\_\_\_\_

Signature of the candidate accepting nomination

X \_\_\_\_\_

Signature of the Election Commissioner