

SWINDON TAMIL ASSOCIATION

CONSTITUTION

Adopted on the *22nd day of January 2006 at a SG meeting.*

PART 1

1. Adoption of the Constitution

The association will be administered and managed in accordance with the provisions in Parts 1 and 2 of this constitution.

2. The Name

The association's name is **SWINDON TAMIL ASSOCIATION**
(and in this document it is called the Charity)

3. The Objects

The Charity's objects (the Objects) are:

- To raise the awareness and promote the Tamil culture, heritage and language within the Tamil speaking people of Swindon and its surrounds and any other persons interested in the Tamil culture and language.
- To organise events/activities to promote and celebrate the cultural heritage of people of Tamil origin.
- To organise festivals celebrated by Tamils.
- To provide facilities and a safe environment for the children to learn Tamil music, dance, arts and language.

4. Application of the Income

- (1) The income of the Charity shall be applied solely towards the promotion of the Objects.
- (2) A Trustee may pay out of, or be reimbursed from, the property of the Charity reasonable expenses properly incurred by him or her when acting on behalf of the Charity.
- (3) No Trustee may be paid or receive any other benefit for being a Trustee.

5. Dissolution

- (1) If the members resolve to dissolve the Charity the Trustees will remain in office as charity trustees and be responsible for winding up the affairs of the Charity in accordance with this clause.

- (2) The Trustees must collect in all the assets of the Charity and must pay or make provision for all the liabilities of the Charity.
- (3) The Trustees must apply any remaining property or money:
 - a) directly for the Objects;
 - b) by transfer to any charity or charities for purposes the same as or similar to the Charity;
 - c) in such other manner as the Charity Commissioners for England and Wales ("the Commission") may approve in writing in advance.
- 4) The members may pass a resolution before or at the same time as the resolution to dissolve the Charity specifying the manner in which the Trustees are to apply the remaining property or assets of the Charity and the Trustees must comply with the resolution if it is consistent with paragraphs (a) – (c) above.
- 5) In no circumstances shall be the net assets of the Charity be paid to or distributed among the members of the Charity.
- 6) The Trustees must notify the Commissions promptly that the charity has been dissolved. If the Trustees are obliged to send the Charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send to the Commission the Charity's final accounts.

6. Amendments

- (1) Any provision contained in Part 1 of this constitution may be amended provided that:
 - (a) no amendment may be made that would have the effect of making the Charity cease to be a charity at law;
 - (b) no amendment may be made to alter the Objects if the change would not be within the reasonable contemplation of the members of or donors to the Charity;
 - (c) no amendment may be made to clause 4 without the prior written consent of the Commission;
 - (d) any resolution to amend a provision of Part 1 of this constitution is passed by not less than two thirds of the members present and voting at a general meeting.
- (2) Any provision contained in Part 2 of this constitution may be amended, provided that any such amendment is made by resolution passed by a simple majority of the members present and voting at a general meeting.
- (3) A copy of any resolution amending this constitution must be sent to the Commission within twenty-one days of it being passed.

PART 2

7. Membership

- (1) Membership is open to all Tamil speaking people and any other persons interested in the Tamil culture and language who are over eighteen years of age.
- (2) Membership is not transferable to anyone else.
- (3) The Trustees must keep a register of names and addresses of the members which must be made available to any member upon request.

8. Termination of Membership

Membership is terminated if:

- (1) the member dies;
- (2) the member resigns by written notice to the Charity;
- (3) any sums due from the member to the Charity is not paid in full within six months of it falling due;
- (4) the member is removed from membership by a resolution of the Trustees that in the best interests of the Charity that his or her membership is terminated.

9. General Meetings

- (1) The Charity must hold a general meeting within twelve months of the date of the adoption of this constitution.
- (2) An annual general meeting must be held in each subsequent year and not more than fifteen months may elapse between successive annual general meetings.
- (3) All general meetings other than annual general meetings shall be called special general meetings.
- (4) The Trustees may call a special general meeting at any time.
- (5) The Trustees must call a special general meeting if requested to do so in writing by at least ten members or one tenth of the membership, whichever is greater. The request must state the nature of the business that is to be discussed.

10. Notice

- (1) The minimum period of notice required to hold any general meeting of the Charity is fourteen days from the date on which the notice is deemed to have been given.
- (2) A general meeting may be called by shorter notice, if it is so agreed by all members entitled to attend and vote.
- (3) The notice must specify the date, time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an annual general meeting, the notice must say so.
- (4) The notice must be given to all the members and to the Trustees.

11. Quorum

- (1) No business shall be transacted at any general meeting unless a quorum is present.
- (2) A quorum is
 - Fifteen members entitled to vote upon the business to be conducted at the meeting; or
 - One third of the total membership at the time, whichever is greater.

12. Chair

- (1) General meetings shall be chaired by the person who has been elected as Chair.
- (2) If the Chair is not present within fifteen minutes of the time appointed for the meeting the Vice Chair or if the Vice Chair is not present a Trustee nominated by the Trustees shall chair the meeting.

13. Adjournments

- (1) The members present at a meeting may resolve that the meeting shall be adjourned.
- (2) The person who is chairing the meeting shall decide the date time and place at which meeting is to be reconvened unless those details are specified in the resolution.
- (3) If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' notice shall be given of the reconvened meeting stating the date time and place of the meeting.

14. Votes

- (1) Each member shall have one vote but if there is an equality of votes the person who is chairing the meeting shall have a casting vote in addition to any other vote he or she may have.

15. Officers and Trustees

- (1) The Charity shall be managed and administered by a Management Committee comprising the Officers and other members elected in accordance with this constitution. The Officers and other members of the committee shall be the trustees of the Charity and in this constitution are together called "the Trustees".
- (2) The Charity shall have the following Officers:

A chair,
A secretary,
A treasurer.

Other members may be co-opted by the Officers for the administration of the Charity.

- (3) A trustee must be a member of the Charity.
- (4) The number of Trustees shall not be less than three but shall not be subject to any maximum.
- (5) The first Trustees (including Officers) shall be those persons elected as Trustees and Officers at the meeting at which this constitution is adopted.
- (6) A Trustee may not appoint anyone to act on his or her behalf at meetings of the Trustees.

16. The Appointment of Trustees

- (1) The Charity in general meeting shall elect the Officers and other Trustees.
- (2) Each of the Trustees shall retire with effect from the conclusion of the annual general meeting next after his or her appointment but shall be eligible for re-election at the annual general meeting.

17. Power of Trustees

- (1) The Trustees must manage the business of the Charity and they have the following powers in order to further the Objects (but not for any other purpose):
 - (a) to raise funds for providing any activities/events that are consistent with the Objects.
 - (b) to hire suitable premises, provide equipment and engage staff/volunteers to carry out the activities/events.
 - (c) to open and operate such bank and other accounts as the Trustees consider necessary.
 - (d) to do all such other lawful things as are necessary for the achievement of the Objects.

18. Disqualification and Removal of Trustees

A Trustee shall cease to hold office if he or she:

- (1) is disqualified from acting as a Trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);
- (2) ceases to be a member of the Charity;
- (3) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her affairs;
- (4) resigns as a Trustee by notice to the Charity; or
- (5) is absent without permission of the Trustees from all their meetings held within a period of six consecutive months and the Trustees resolve that his or her office be vacated.

*I certify that this document is a true copy
of the Constitution of Swindon Tamil Association*
[Signature] J.P.
Chair 31/1/06.