



CONSTITUTION

NATIONAL CONGRESS OF GUJARATI ORGANISATIONS (UK)

ADOPTED ON

**SUNDAY, 3RD MARCH 2013
BRENT TOWN HALL, WEMBLEY**

AT

**THE SPECIAL GENERAL MEETING
TO APPROVE REVISED CONSTITUTION
OF NCGO (UK)**

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CONSTITUTION OF THE NATIONAL CONGRESS OF GUJARATI ORGANISATIONS UK

"DEFINITIONS"

"NCGO"	shall mean THE NATIONAL CONGRESS OF GUJARATI ORGANISATIONS UK
"COMMUNITY"	shall mean The GUJARATI COMMUNITY at large
"GUJARATI ORGANISATION"	shall mean a properly formed GUJARATI COMMUNITY Organisation within the United Kingdom which is governed by a constitution and which holds regular meetings for the purposes of electing its officers and reporting to its members and whose aims and objects/objectives are similar to those of NCGO.("GO")
"MEMBER ORGANISATION"	shall mean GUJARATI ORGANISATIONS who are members of NCGO.("MO"):
" EXECUTIVE COMMITTEE"	Shall consist of the President, Vice President, Secretary General, Joint Secretary General, Treasurer, Joint Treasurer, Public Relations Officer, Immediate Past President, 12 Elected Committee Members and 5 Co-opted Committee Members <i>if required</i> nominated by the Executive Committee
"DELEGATES CONFERENCE"	Shall be the meeting of the Delegates of Member Organisations, it may be held at any time or at the AGM."DC" Delegate Conference has the power to pass resolutions.
"ADVISORY COUNCIL"	Will consist of 7 eminent Gujaratis nominated by the Executive Committee. Advisory Council (AC) will have the Chairman and Secretary nominated by the Executive Committee
" PATRONS COUNCIL"	Patrons Council's Chairman will be appointed by the Executive Committee. Those people who have achieved some distinction or contributed to Gujarati cause will be appointed by the Chairman of Patrons Committee
"ANNUAL GENERAL MEETING"	The Annual Meeting of the Delegates ("AGM")
"SUBSCRIPTION FEE"	Shall be the sum as specified by the EC or such other sum or sums as shall be determined at the AGM from time to time being the amount payable on becoming a member of NCGO and periodically thereafter as determined by the Delegates at the AGM.
"DELEGATES"	3 Delegates from each MO will be entitled to vote at the AGM and stand for the Executive Committee post. Delegate can only represent one MO and cast one vote only for the organisation he/she represents
"GUJARATI ORIGIN"	Person born in the GUJARATI COMMUNITY and Gujarati language as his/her mother tongue

1. Name

The name of the organisation shall be "THE NATIONAL CONGRESS OF GUJARATI ORGANISATIONS UK" hereinafter referred to as "NCGO".

2 Aims and Objectives

The aims and objects of NCGO, without being affiliated to any particular political party shall be:

- a) To act as the National Organisation of the Gujarati Community in identifying and analysing cultural, religious, social, educational, linguistic and economic needs and requirements of all sections of the Gujarati Community and to promote projects and ways of dealing with and satisfying these.
- b) To encourage and assist in the formation of local Gujarati Organisation in localities where these do not exist.
- c) To act as and provide an ombudsman service to the Community and MO in resolving any grievance or dispute that may exist or arise within or between members of the Gujarati Community and/or the MO.
- d) The promotion of harmony and understanding within the Gujarati Community.
- e) The promotion of good relations between different racial groups for the benefit of the Gujarati Community as a whole.
- f) To represent interests of the Gujarati Community of UK with Government Organisations at national and local Level in UK, Europe, India and worldwide.
- g) To hold seminars on important issues.
- h) Have dialogue with Gujarat Government to promote interests of Gujaratis in UK/Europe

3 Powers

In furtherance of the above objects acting in the best interests of NCGO, but not further or otherwise NCGO shall have the following powers:

- i) Purchase, take on lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary for the furtherance of the said objects and purposes and similarly construct, maintain, alter or extend any buildings, land and other asset of NCGO.
- j) Subject to such consents as may be necessary by law, sell, let, mortgage, dispose of or turn to account all or any of the NCGO's assets, properties, shares, investments and other belongings whatever and otherwise deal with them in any way deemed proper.
- k) Employ persons such as (but without limit as to numbers, categories or description) priests, tutors, librarians, secretaries, clerks, executives, technical personnel and others concerned or in connection with promotion of the activities of NCGO.
- l) Promote and organise or participate in promoting and organising co-operation in the achievement of the foregoing (locally, nationally and internationally) and to that end inter alia bring together, whether in conference or otherwise, individuals and representatives of all interested bodies, authorities, churches or temples, governments and other agencies whatsoever and wherever.
- m) Arrange and provide for or join in arranging and providing for the holding of exhibitions, meetings, lectures, seminars and courses.
- n) Procure, print, publish, issue and circulate whether gratuitously or otherwise papers, magazines, lectures, seminars and courses.

- o) Promote and carry out or assist in promoting and carrying out research, surveys and investigations and to disseminate the useful results of the same.
- p) Undertake, execute, manage or assist any other charitable trusts or organisations which may lawfully be undertaken, executed, managed or assisted by NCGO.
- q) To co-operate and affiliate with other organisations engaged in the promotion and furtherance of equality of opportunity irrespective of race, religion, creed, culture or sex.
- r) Accept gifts and, subject to such consents as may be necessary by law, borrow or raise money on such terms and such security as shall be thought fit.
- s) Raise funds and to invite and receive contributions from any person or persons whomsoever by way of donation and otherwise provided that NCGO shall not undertake any permanent trading activities in raising funds;
- t) Make any charitable donation either in cash or assets for the furtherance of the objects of the NCGO.
- u) Insure and arrange insurance cover for, and to indemnify its officers, servants and voluntary workers and those of its members from and against, all such risks incurred in the course of the performance of their duties as may be thought fit.
- v) To do all such lawful things as may be incidental and conducive to the attainment of the above objects of any of them or to the implementations of the provisions of the Constitution.

4. Membership

4.1 Any Gujarati Organisation in the UK which has been in existence for at least 18 consecutive months and has a written Constitution shall be eligible to apply to become a member of NCGO referred to as MO:-

- i) Makes a written declaration of their commitment to the aims and objects of NCGO and their desire to work towards the achievement of those aims and objects, and
- ii) Satisfies the EC that there is nothing in their constitution aims and objects which conflicts with those of the NCGO's, and
- iii) Has a bona fide membership;
- iv) Pays the current subscription fee to NCGO - which will be reviewed annually by the EC.

4.2 Any Gujarati Organisation wishing to become a member of NCGO shall apply in writing with evidence of having fulfilled the requirements mentioned above in Clause 4.1 to the Secretary General to become a member of NCGO and subject to such application approved by the EC.

4.2.1 Any MO may apply in writing to the NCGO through the Secretary General to become a member even if it does not fulfil the above requirements provided that such application is supported by a full explanation as to the exceptional circumstances and why its application should be considered by the EC.

4.3 The Secretary General shall present all the applications for membership to the EC to consider and make its recommendations to the EC at its next meeting at which the applications shall be determined as it deems fit and whose decision shall be final and conclusive.

4.4 Following the determination of the EC the Secretary General shall as soon as possible inform the applicant MO of the decision of EC in writing.

4.5 If the application is approved, the Secretary General shall issue the relevant MO with a confirmation letter signed by the Secretary General provided fee is paid as per 4.1 (IV)

4.6 If the application is not approved then the Secretary General shall forthwith refund the fee to the applicant MO *with reasons why their application has been refused.*

4.7 The membership of any MO shall come into effect on the day the application is approved by the EC.

4.8 The membership of all the MO's shall be subject to annual review at the delegates' conference (DC) or such other date as the EC shall determine from time to time and which shall be previously notified to the MO.

4.9 On becoming a member and when next required to do so each MO shall nominate 3 Delegates to attend the DC of NCGO. Nominated persons must be of Gujarati Origin and one of whom shall be the President for the time being (or designated nominee by the MO) and the other 2 members of its Executive Committee or its equivalent. Preferably one of whom if possible shall be a member of their youth committee who shall be under the age of 35 years but over the age of 18 years.

4.10 The MO shall notify the Secretary General in writing of the names of its nominated Delegates as soon as possible on being requested to do so but in any case at least 7 days before the commencement of the Delegates Conference to be held Annually as Annual General Meeting (AGM) or as convened under emergency as Special General Meeting (SGM) or (EGM).

4.11 Any changes in the nominated Delegates of a MO shall be notified to the Secretary General by the MO in writing as soon as possible.

4.12 Any MO which has ceased to exist as a MO shall automatically cease to be a member of NCGO. Delegates of the MO will resign from EC if they were elected as EC Members and also on other committees. Fees paid are non-refundable.

5. The Executive Committee

5.1 The EC shall consist of the personnel as herein defined.

5.2 The broad policy and general affairs and management of NCGO shall vest in the EC who shall ensure that the powers of NCGO are exercised in the best possible manner in the furtherance of the aims and objects of NCGO and for no other purpose.

5.3 The Executive Committee will consist of:

President, Vice President, Secretary General, Joint Secretary General, Treasurer, Joint Treasurer, and Public Relations Officer referred to as "Officers" and 12 Committee Members.

Immediate Past President and 5 Co-opted Members will be nominated by EC - These members will have the voting rights and will be included in the EC.

EC will form Members of Advisory Council, Patrons Council and Regional Representatives who can attend EC Meeting without voting rights but are able to fully participate in the discussion.

5.4 The EC shall meet as and when necessary but at least once every 8 weeks or earlier and at least 14 days prior written notice shall be given of the meetings. EC can meet at short notice if desired to discuss urgent issues. "OFFICERS" can meet on their own as desired and may or may not invite Committee Members, Patrons, Affiliated Committee Member, Immediate Past President/Secretary or any invited party.

5.5 The meeting of the EC shall be deemed to be quorate when a minimum of 60% of EC members are present. EC Members are Delegates from MO elected at the AGM or Co-opted Members.

5.6 If and when any EC member fails to attend three consecutive meetings without a valid reason an appropriate notice shall be given to the individual by the Secretary General in writing. If the member, in spite of this notice and without a valid cause, remains absent from a fourth meeting he shall be considered to have automatically ceased to be a member of the EC. Such member or members shall not be eligible for re-election/nomination to the EC for at least two years from the date he/she ceased to be a member of the EC. MO will be notified at all times. EC Member will have the right of appeal which must be sent within 15 days of his/her appointment being terminated. Appeal will be heard by an independent committee set up by EC.

6 Powers and Duties of Executive Committee.

6.1 The EC shall have all such powers as hereinafter provided.

6.2 Without limiting the exercise of the general powers, the EC shall in addition have the following powers:

i) To form and dissolve Sub-committees.

ii) To spend up to £10,000 (Ten Thousand Pounds) for any expenditure per event without the prior approval at the AGM. Such expenditure must have approval at EC by 75% of the EC members present.

(iii) To appoint up to five co-opted members to the EC with voting rights. The appointment of Co-opted members will be approved EC by majority votes.

(iv) Consider membership application from any Gujarati Organisation in UK to become MO of NCGO.

(v) All events/seminars to be pre-budgeted and approved by the EC

6.3 The EC shall ensure that the Treasurer has prepared the accounts of NCGO before the end of its term which are then audited by the Honorary Auditor and presented to the DC for its approval. Accounting period will be 31st March.

The Treasurer will provide Audited Accounts to EC prior to the AGM to be approved by EC for presentation at the AGM for approval. AGM will be held in month of May/June but not later than July.

6.4 The EC shall be responsible for the day to day management and all general policy making of NCGO for the term of their office and shall exercise such powers of NCGO as are not exclusively reserved at the AGM.

6.5 The EC shall have powers to initiate, encourage and carry out activities in furtherance of the objects of NCGO.

6.6 The EC shall have following power:

6.6.1 The EC shall have power to spend up to £10,000 for any expenditure during their term of office without the prior approval of the DC.

6.6.2 It shall be the duty of the EC to ensure that the finances of NCGO are administered in conformity with the aims and objects of NCGO and the general directions of DC and to keep true and accurate accounts and records thereof.

6.6.3 The EC shall consider and approve appropriate budgets for the various Sub-committees of NCGO and provide guidelines to the convenors of the various Sub-committees as to their function and spending of their approved budget

7. POWERS & DUTIES OF OFFICE BEARERS

7.1 President

- (a) The President shall, as a general rule, be responsible for the welfare of the NCGO, for maintenance of harmony among Members and of the dignity of NCGO, for the strict observance of the Constitution and any Rules, Regulations or Byelaws made thereunder.
- (b) To preside over the Annual General Meeting, General Meeting, and Emergency General Meeting as well as the Executive Committee meetings of NCGO and to sign the minutes confirmed at the meetings.
- (c) It will be his function and his privilege to represent NCGO both within and outside its membership and to act in the best interest of the Community, having regard to the Aims and Objectives of NCGO.
- (d) The President shall exercise control over the direction of NCGO and its Subsidiary Bodies and he can take such steps as may be necessary for the smooth running of the affairs of NCGO and in furtherance of the Aims and Objectives in the Constitution.
- (e) He will have the authority to spend an amount of £300 on behalf of the Executive Committee without prior approval of the Executive Committee, but he will account for such expenditure in the next Executive Committee meeting.
- (f) The President can give permission for the transaction of any other important business which is not there on the Agenda of the Meeting, except discussion on amendments of the Constitution.

7.2 Vice President

The Vice President shall assist the President in his duties and obligations and shall assume duties and responsibilities in the absence of the President.

7.3 The Secretary General

- (a) The Secretary General, besides exercising a general supervision of the detailed working of the Constitution of NCGO, shall also:
 - (i) Keep and record in the minute book or books, minutes of all meetings, including Annual General Meetings, Emergency General Meetings and Executive Committee Meetings.
 - (ii) Issue notices of meetings as specified in the Constitution.
 - (iii) Conduct, correspondence and put in the decisions of the Annual General Meetings, General Meetings and Emergency General Meetings and Executive Committee Meetings into execution.
 - (iv) Keep in safe custody, the files, Members Database and other records of the NCGO.
 - (v) Prepare and submit for approval of the Executive Committee the Annual Report of the working of NCGO for presentation to and its adoption at the Annual General Meeting.
 - (vi) He/She will have the authority to incur an expenditure of up to an amount of £300 without the prior approval of the General and Executive Committee of NCGO, but shall have to account for such expenditure in the next meeting of the Executive Committee.

7.4 Joint Secretary General

The Joint Secretary General shall assist the Secretary in carrying out his / her duties. In the absence of the Secretary General, the Assistant Secretary General will assume the duties and responsibilities.

7.5 Treasurer

- (a) It will be the responsibility of the Treasurer to manage all the financial affairs of NCGO under the supervision of the Committee. He/She shall also collect the subscription from the Members and the donations offered to NCGO.
- (b) He/She shall deposit the amount in excess of £100 in the Bank Account of NCGO.
- (c) He/She shall not pay bills which have not been approved by the President, the Secretary, or the Executive Committee, as may be applicable.
- (d) He/She will regularly and methodically maintain all the accounts, files, invoices, cash receipts as required by the Executive Committee and shall present accounts of Income and Expenditure at every monthly Meeting of the Executive Committee.

- (e) He/She shall also prepare the Annual Statement of Income and Expenditure for the approval of the Executive Committee and submission to the Auditors and thereafter for its presentation to the Annual General Meeting for adoption. Accounting period being 31st March.

7.6 Joint Assistant Treasurer

The Joint Assistant Treasurer shall assist the Treasurer in carrying out his duties and shall act as the Treasurer in his absence.

7.7 Public Relations Officer – PRO

PRO will be responsible for Press Release and communicate with Media.

8. Sub-Committees of NCGO

8.1 The EC may from time to time form any number of Sub-committees as it deems necessary and appoint Convenors to head each Sub-committee.

8.1.1 The term of such Sub-committee may vary as determined by EC

8.1.2 The Convenors appointed will complete their task within the term approved by EC.

8.1.3 The appointment of Convenor will be subject to ratification by the EC subsequent to their appointments and they will complete their term after concluding their appointed task.

8.2 The President and Secretary General shall be ex-officio members of all Sub-committees.

8.3 Sub-committee Convenors may in conjunction with the President and Secretary General appoint members (who may be members of the Community) to serve on a Sub-committee whose number excluding the ex-officio members but including the Convenor shall not exceed 10 (ten).

8.4 It shall be the responsibility of the respective Convenors of the Sub-committees to submit regular written reports to the President and Secretary General and shall also report to the EC,

8.5 The Convenors of the various Sub-committees shall prepare and submit a budget for approval by the EC prior to any function or event it organises or holds and prior to making any firm financial commitments in relation thereto.

8.6 The Convenors of the Sub-committees shall submit a report and written financial statements with supporting documentation to the EC within 10 days of the event taking place or before the end of the financial year of NCGO whichever is earlier of any event or function Sub-committee may have organised or been involved with.

All Sub-committees of NCGO shall function and work under the name of NCGO only and within the guidelines laid down by the EC.

8.7 The Convenors of the Sub-committees shall hand over all documents and records relating to his/her particular Sub-committee to the Secretary General at least four weeks before the expiry of their terms.

9 Annual General Meeting/Delegates Conference

9.1 The governing body of NCGO shall be the Delegates of the MO in which the ultimate powers of NCGO shall be vested and which shall in its absolute discretion decide to whom its powers may be delegated.

9.2.1 The AGM shall be held once every twelve months ("one term") at a time and place the EC may decide, of which not less than **21** days written notice shall be given to all MO. AGM can be regarded as Annual General Meeting /Delegates Conference.

9.2.2 Delegates Conference (DC) can be held at any time giving 21 days notice or if in emergency than 15 days notice. DC can discuss and approve all the issues.

9.3 Eligibility to attend.

9.3.1 The following persons shall be eligible to attend the DC.

- (i) Delegates of MO
- (ii) Members of the Advisory Council
- (iii) Patrons
- (iv) Honorary Auditor
- (v) Task Force Team
- (vi) Members of the Community
- (vii) Invited Guests and Members of all Members Organisations.
(In addition to 3 Delegate)

9.3.2 All attendants shall be entitled to participate in the business and debate of AGM save for those in categories **(iv), (v) , (vi) and (vii)** above who may participate only with the prior approval of the President. Voting will be by Delegates of the MO only.

9.4 Eligibility to vote

9.4.1 All Delegates of MO including EC members, shall be eligible to vote PROVIDED ALWAYS that the maximum number of vote any Delegate of MO or EC Member may cast will be only one vote on behalf of MO being represented (One Person One Vote).

9.4.2 Voting by proxy shall not be allowed.

9.5 The Business of the AGM

9.5.1 The AGM shall be held for the purposes hereinafter prescribed to be dealt with in the order directed by the President.

- (i) Approval of the minutes of the previous AGM and any SGM or EGM and matters arising from the minutes

- (ii) Receiving of Officers and Sub-committee Convenors reports.
- (iii) Approval of the Audited Accounts.
- (iv) Discussion and voting upon written resolution previously submitted and circulated to MO
- (v) Discussion and voting upon any emergency resolutions accepted by the President at his discretion prior to the commencement of the AGM.
- (vi) Election of the President, Vice President, Secretary General, Joint Secretary, Treasurer, Joint Treasurer, PRO
- (vii) Appointment of Honorary Auditor.
- (viii) Any other business with the permission of the President.

9.6 Election Procedures and Terms of President/Secretary/Treasurer/Auditor

9.6.1 Election will be by Nomination only, Nomination Forms and Delegates Forms to be sent out 21 days prior to AGM. Nomination Forms must be received by the Election Officer 3 clear days before the AGM by Recorded Delivery. Nominations when declared will be on NCGO Website or sent by Email to EC Members. Full List of Nominations received, dis-allowed or void will be available on the day of the AGM.

9.6.2 President/ Vice President/Secretary General/Joint Secretary/Treasurer/Joint Treasurer/ PRO and 12 Committee Members term to be 2 years and are eligible to stand for further term of two years.

9.6.3 AGM will be held annually to approve the continuity of the President/Secretary/Treasurer unless during the Nomination Period 70% of MO seek re-election of the all or individual appointment. Or the officer does not want to continue.

9.6.4 President/Secretary/Treasurer can only serve for a maximum of two terms.

9.6.5 Delegate Nominated by the MO to stand for Election at the AGM must be present at the AGM to be eligible to be elected. If the delegated nominated is absent his/her nomination will be invalid.

9.6.6 If **no** Nominations are received for any Officer's Post or Committee Member Post than Nominations for such post/posts will be accepted 2 hours before the AGM commences failing which the nominations can be called from the floor subject to candidate satisfying criteria for election set out by the EO

Nomination Forms must be signed as per provision stated.

9.7 Quorum

9.7.1 The AGM, SGM and EGM shall be deemed to be quorate when at least **25%** of the MO entitled to vote is present.

9.7.2 If an AGM is not quorate at the time of meeting then the President shall adjourn the meeting and reconvene the adjourned meeting after 30 minutes and continue the meeting as per declared Agendas unless 70% of Delegates entitled to vote seek to call another AGM ("reconvened AGM") no later than eight weeks and not earlier than four weeks from the date of the adjourned AGM.

9.7.3 At least 21 days prior written notice shall be given to all those entitled to vote or attend before a reconvened AGM is held.

9.8 Conducting AGM

The AGM shall be chaired by the current President to conduct the AGM until the Election process commences at which stage EC will resign for EO to conduct the Election process. Voting shall be by ballot papers.

9.8.1 Any MO of NCGO who wishes to move any resolution at the AGM may do so by giving written notice thereof to the Secretary General not less than 21 days before the date of the AGM.

9.9 Elections Procedure

9.9.1 The elections for the post of the President, Vice President, Secretary General, Joint Secretary, Treasurer, Joint Treasurer, PRO and 12 Committee Members shall be conducted by the Honorary Auditor ("HA") who shall also act as the Election Officer ("EO"). HA can seek assistance of any person provided he/she is not nominated or connected with nominated person. HA must be conversant with NCGO's Constitution and Election Process.

9.9.2 In the absence of the HA, EC shall appoint two independent persons to act as EO PROVIDED that those persons shall not be members or prospective members of the EC nor candidates for any post up for election or MO who has a candidate standing to be elected. EO must be conversant with the NCGO's constitution and have proper knowledge of the Election Process.

9.9.3 The nominations for the Posts of President, Secretary General, Joint Secretary General, Treasurer, Joint Treasurer, PRO and 12 Committee Members shall be submitted on the prescribed nomination form to the HA/EO at the address shown on the Nomination Form three clear days before the AGM. Nomination Forms to be sent by Recorded Delivery only.

9.9.4 The HA/EO shall open sealed *envelopes* containing the Nomination Form /Forms 2 days before the AGM at a declared venue in presence of EC Committee and Independent Observers.

9.9.5 Candidates standing for election must be Delegates of MO whose nomination form must be signed by him/her. President and Secretary of his /her organisation being a MO of NCGO who must also sign the candidates' nomination form prior to its submission to the HA/EO. (Nomination Form to be signed by Candidate who must be a Delegate of MO, President and Secretary of MO) failure to abide will render nomination form void. If the Candidate is President or Secretary his or her Nomination form will be signed by one of the Delegate of MO.

9.9.6 Any candidate securing the highest votes by a simple majority shall be declared elected and the decision of the EO shall be final and binding.

9.9.7 No candidate shall be eligible to be nominated for the post of President, Secretary General or Treasurer for more than two consecutive terms of office.

9.9.8 Candidate can only be nominated for one post of "Officer Post" and as Committee Member, nomination will be null and void for other post once elected for the first nomination applied for. (If candidate is nominated for President he or she cannot be nominated for other post except Committee Member)

9.9.9. Candidate cannot be nominated by more than one MO and only represent the MO nominated by.

9.10 Special General Meeting

9.10.1 A Special General Meeting ("**SGM**") may be called at any time by the EC for the transaction of special business only. The notice for the SGM shall specify the matters to be discussed. No other matters will be discussed except those on the Agenda.

9.10.2 A written notice for such SGM shall be given to all MO at least 15 Days in advance of the meeting.

9.10. 3 The AGM may decide to have a SGM on any important major issue. Such meeting must have two thirds Delegates of MO voting for it and 21 days notice to be given to MO.

9.11 Emergency General Meeting

9.11.1 An Emergency General Meeting ("**EGM**") shall be convened by the EC within 4 weeks of receipt of a written request signed by a majority of Delegates of MO, specifying the purpose of their requirements.

9.11.2 Should the EC fail to convene an EGM within the prescribed period the requisitioners themselves may call the EGM giving not less than two weeks' written notice to all the MO.

9.11.3 No subject other than the specific subject on the agenda for which the EGM is convened may be discussed at the EGM or adjourned AGM.

10. Advisory Council

10.1. The EC may nominate up to seven persons to act as Advisory Council Members ("**ACM**") of NCGO

10.2 Candidates for the post ACM may be from the Gujarati Community who must be approved by EC. ACM does not have to be a Member of MO except that Member must be a Gujarati.

10.3 ACM can be invited to any meetings of NCGO but they shall not be entitled to vote nor be convenors of any Sub-committees of NCGO. They can be a Task Force Member.

10.4 ACM will be someone who will be a professionally qualified or have served previously in other organisations at officer level having substantial knowledge of working of voluntary organisations or an eminent business person of repute. ACM task is to advise NCGO and Promote NCGO as directed by EC.

10.5 For the avoidance of doubt the term of office of all ACM will be for two years. ACM can be nominated for further terms.

10.6 ACM will only promote activities of NCGO and not use the position for any other purpose.

10.7 Can claim reasonable out of pocket expense.

11 Meetings of Advisory Council

i) The ACM shall appoint from amongst them a Chairperson who shall be responsible for liaising with the President/Secretary and reporting to the EC.

ii) The ACM shall meet as and when necessary but at least three times annually

iii) The President, Secretary General and Treasurer shall be invited to all the meetings of the ACM.

iv) The Quorum of the meeting shall be three ACM including the Chairperson but excluding the NCGO President/Secretary/Treasurer

11.2 Duties of Advisory Council

11.2.1 To attend EC meetings, AGM, SGM, EGM and NCGO functions.

11.2.2 To advise and assist and offer guidance to the President and the EC as and when requested on all matters concerning or relating to NCGO

11.2.3 To assist in the raising and building up of funds for NCGO to include but not limited to the followings:

- a) Help raise funds for NCGO for short term projects.
- b) Prepare fund raising schemes for longer term projects
- c) Ensure designated funds are used appropriately.

11.2.4 Will monitor the activities conducted by NCGO and guide EC to achieve its Aims & Objectives where required.

11.2.5 Provide Arbitration if required to resolve issues of contention.

11.2.6 To monitor EC Meetings conducted within the spirit of the Constitution.

11.2.7 Can intervene during the EC Meetings if meeting goes outside the Agendas or discussion becomes drawn out or frictional.

12 Regional Representatives

12.1. EC can nominate a member of MO to be a Regional Representative (“RR”) for NCGO, such appointment to be approved by the MO. In exceptional circumstances RR could be nominated if he/she is not a member of MO but has to be a Gujarati.

12.2 Regional Representatives will promote NCGO in the designated regions and will submit reports at regular intervals.

12.3 Facilitate holding NCGO’s regional meetings inviting MO’s from the surrounding areas under his/her Regional boundary.

12.4 Will be entitled to attend EC/AGM/SGM/EGM without voting rights

12.5 Can claim reasonable out of pocket expenses

13. Patrons Council:

13.1 Role of Patrons:

13.1.1 Lending of their name by a reputable, high-profile person or organisation by that person or organisation in order to add to the credibility and integrity of NCGO or worthy product and lending time, effort, contacts, influence, ideas, inspiration and/or own money in order to progress the activities of NCGO, its worthy products or services,

13.1.2 Adding weight to the capacity of NCGO to progress its purpose, especially its public image and income-generating capacity and performance, e.g. attending fund-raising events as a VIP and playing an active role by contributing to the program of activities (e.g. presenting an address), generating full-paying contributions (e.g. organising or sponsoring a table of 10 people to a fund-raising dinner), writing material to be included in promotional material.

13.2 Patron must be a Gujarati Speaking and Gujarati of good character

13.3 EC will nominate a Chairman of the Patrons Committee who will serve no less than 5 years term. His term can be extended.

13.4 Term of a Patron will be 5 years minimum

13.5 Chairman will invite people of repute as defined in 13.1.1 & 13.1.2 above to be a Patron – Account, Solicitor, Lord, Knight, Doctor, Professional Person, Someone who has received Public Recognition, Known Community Personality

13.6 Patrons will be independent of EC.

13.7 EC can nominate a Patron, Chairman has to agree to his/her appointment.

13.8 Patron Committee can terminate term of any Patron if he/she does not contribute to the functioning of the Patron Committee or fails to attend meetings or functions on regular basis.

13.9 Patron can only be removed by a Vote at the AGM or SGM

13.10 Patron can attend EC Meetings if they wish to.

13.11 EC Members can attend Patrons Council Meetings without interfering in their meetings.

13.12 Patron Council will send MOM of their meetings to EC and also update EC of their activities on behalf of NCGO.

13.13 EC can only terminate appointment of a Patron if he or she brings NCGO into disrepute. Patrons Council will deliberate on the matter.

14. Vacancies

a) If and when any EC member fails to attend three consecutive meetings without a valid reason an appropriate notice shall be given to the individual by the Secretary General in writing. If the member, in spite of this notice and without a valid cause, remains absent from a fourth meeting he

shall be considered to have automatically ceased to be a member of the EC. Such member or members shall not be eligible for re-election/nomination to the EC for at least two years from the date he ceased to be a member of the EC. MO will be notified at all times.

b) If a vacancy arises in the EC the EC shall have the right to appoint any EC member to fill the said vacancy except that of the President/Secretary for which purpose the EC shall call a SDC immediately upon the seat becoming vacant.

15. The Honorary Auditor:

a) At the AGM, an Auditor shall be appointed unanimously or by majority of votes. He/she shall be Chartered or a Certified Accountant qualified to audit accounts. He/she shall be a person who is not an elected Member of EC or EC Member of MO. He/she shall audit the accounts by comparing them with the receipt books, vouchers and the minutes of meetings at the end of the financial year. He/she can demand explanations and clarifications from the Management Committee on any matters related to the accounts.

b) After auditing the Accounts, he/she will certify the statement of the accounts and shall write thereunder, a report on such matters, which in his opinion are improper. In addition, he may perform the auditing during the course of the working year, if so required by the EC. Apart from annual auditing, he/she may also perform such auditing during the course of the year, if so requested by the EC.

c) Will report to EC if any discrepancy or irregularities found in accounting or financial recordings.

d) The Auditor shall also act as the Election Officer. Must be conversant with NCGO's Constitution and Election Process.

16. Litigation

NCGO may sue and be sued in the name of the President and Secretary General for which they will be fully indemnified by NCGO against all liability and costs and expenses lawfully incurred by them. As a precaution NCGO should have a Legal Cover Policy.

17. Indemnity

17.1 In the execution of their duties no EC member or ACM shall be liable for any loss or damage to the property of NCGO arising by any reason of any improper investment made in good faith (so long as they shall have sought professional advise before making such investment) or for the negligence or fraud of any agent employed by them (provided reasonable supervision shall have been exercised).

17.2 AGM shall have power to indemnify any EC member in such manner and to such extent as the AGM may in its discretion determine out of general funds of NCGO against any losses and liabilities he or they may have sustained in the discharge of his or their duties except where the exercise of his or their powers or duties are ultra-vires.

18. Amendment to the Constitution

18.1 Any alternation, amendment or deletion to the rules of the constitution may be effected by a resolution at the AGM or at SGM. This shall require the support of at least three quarters of the Delegates present and voting at the meeting. AGM/SGM must have the required quorum and appropriate notice served.

18.2 All Delegates of MO shall be notified about any such proposals at least three weeks before the meeting.

19. Arbitration

An independent arbitrator/arbitrator of appropriate calibre to be appointed at the AGM whose role would be to listen to the complaints from MO//EC members and resolve or make suggestions to the appropriate party impartially to bring about the satisfactory conclusion of the concern/complaint. Direction given by the Arbitrator will be discussed with President & Secretary but no undue influence from them to change the directions. Parties concerned can have representation when his/her concerns are being heard by the arbitrator. MO organisation or EC Member must exhaust all the avenues to resolve dispute or concern before resorting to Legal Litigation upon NCGO.

If Dispute not resolved by Arbitration then EC must convene SGM to resolve the issue before Litigation commences.

20. Dissolution

A resolution for the dissolution of NCGO shall not be valid unless the same is on Agenda of a SGM called for that purpose of which at least six weeks prior notice shall have been given to MO affiliated organisations by prepaid post. The resolution for the dissolution shall only be valid if passed by three fourths of the Delegates present and voting at the meeting. After a valid resolution as been passed the assets of NCGO after satisfying all debts and liabilities shall be disposed of in such manner as may be resolved by the meeting at which the resolution for the dissolution is passed. In case of disagreement as to the disposal of the assets, such assets shall be disposed of in accordance with the law governing Voluntary Organisations at the date of such dissolution.

This constitution was unanimously approved at the Special General Meeting held on Sunday 3rd March 2013 at Brent Town Hall

Signed: _____

President – Mr Sharad Parikh

Date: _____

Signed: _____

Secretary General – Mr Mahendra Jadeja

Date: _____

Signed: _____

Constitution Task Committee Leader – Mr C J Rabheru

Date: _____

ACKNOWLEDGEMENT TO THE CONSTITUTION TASK COMMITTEE

NCGO over the last eight years contemplated to either amend the Constitution or devise a New Constitution.

An attempt was made during 2009 but due to certain reasons it was never finalised hence it was a matter of priority for the incoming Committee which was elected on 26th September 2012.

Task Committee was formed to look at the Constitution, CJ Rabheru- Vice President was asked to undertake the task assisted by the Task Committee – Sharad Parikh, Mahendra Jadeja, Jitu Patel, Anjana Patel, Pravin Amin, Anita Ruparelia and Ramji Chauhan.

CJ Rabheru promptly prepared a draft constitution which was discussed at Officers Level and then at the EC Meeting.

Task Committee meeting was set up to discuss points raised at Officers Level meeting and EC Meeting. Dhiru Vadera and Sumantra Desai were also invited to the Task Committee meeting.

Extensive discussion took place and certain amendments were agreed and implemented.

Present at the Task Committee meeting were: C J Rabheru, Sharad Parikh, Mahendra Jadeja, Anjana Patel, Dhiru Vadera, Sumantra Desai.

The amended draft was circulated within days by CJ Rabheru to the EC via the Secretary Mahendra Jadeja for final input before an Emergency EC meeting convened.

EC meeting was convened, draft was further debated and finally agreed to be sent out to the Member Organisations for their consideration and to propose any amendments at Special General Meeting scheduled for 3rd March 2013 at Brent Town Hall.

The Constitution was approved unanimously at the SGM on 3rd March 2013, a milestone achievement for NCGO. Thanks to all the Member Organisations who attended the SGM.

NCGO thanks all the individuals who were involved in drafting the Constitution and refining it to the Final Stage.

The following EC Members were responsible for the New Constitution:

Task Committee Head & Drafting the Constitution:

C J Rabheru

Task Committee:

Sharad Parikh, Mahendra Jadeja, Jitu Patel, Anjana Patel, Ramji Chauhan

Assisted By: Dhirubhai Vadera – Sumantra Desai

EC Committee: Krishna Pujara, GP Desai, Anita Ruparelia, Pravin Amin, Ramji Chauhan, Harshad Patel, Jayant Patel, Nimuben Parekh, GM Patel, Vim Odedra

Patrons Committee Chairman: C B Patel