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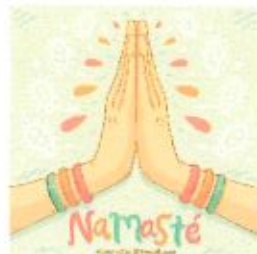
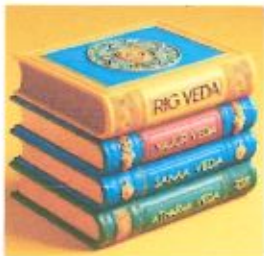


Constitution of

**ARYA SAMAJ PRATINIDHI
SABHA NEW ZEALAND
INCORPORATED**

**Registered Office: 593 Blockhouse Bay Road,
Blockhouse Bay, Auckland 0600, NZ.**

www.nzaryasamaj.org



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CONSTITUTION OF
ARYA SAMAJ PRATINIDHI SABHA NEW ZEALAND INCORPORATED

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CONSTITUTION OF
ARYA SAMAJ PRATINIDHI SABHA NEW ZEALAND
INCORPORATED

1. Name

a. The name of the Society/Sabha is **ARYA SAMAJ PRATINIDHI SABHA NEW ZEALAND INCORPORATED**. (In this Constitution referred to as the **Society** and/or **Sabha**).

b. The Arya Samaj Pratinidhi Sabha New Zealand Incorporated shall consist of affiliated Arya Samaj(s) in New Zealand and their appointed representatives (hereinafter collectively referred to as "**Affiliated Samaj/s** or **Samaj/s**").

2. Objects

The objects of the Sabha shall be: -

- a. To propagate the ten principles of the Arya Samaj as propounded by Swami Dayanand Saraswati, which principles are as follows.
- (i) God is the efficient cause of all true knowledge and all that is known through knowledge.
 - (ii) God is existent, intelligent, and blissful. He is formless, omniscient, just, merciful, unborn, endless, unchangeable, beginning less, unequalled, the support of all, the master of all, omnipresent, immanent, un-aging, immortal, fearless, eternal, and holy and the maker of all. He alone is worthy of being worshipped.
 - (iii) The Vedas are the scriptures of all true knowledge, it is the paramount duty of all Aryas to read them, teach them, recite them and to hear them being read.
 - (iv) One should always be ready to accept truth and renounce untruth.
 - (v) All acts should be performed in accordance with Dharma, that is, after deliberating what is right and wrong,
 - (vi) The prime object of the Arya Samaj is to do good to the world, that is to promote physical, spiritual, and social good of everyone.





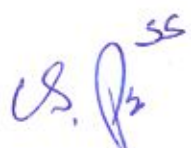
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- (vii) Our conduct towards all should be guided by love, righteousness, and justice.
- (viii) We should dispel ignorance and promote knowledge.
- (ix) No one should be content with promoting his good only, on the contrary, one should look for his good in promoting the good of all.
- (x) One should regard oneself under restrictions to follow the rules of society calculated to promote the well-being of all, while in following the rules of individual welfare, all should be free.

- b. To establish and organize Arya Samajs.
- c. To establish, maintain affiliate/s and supervise educational, residential and religious institutions, hostels or medical clinics, orphanages and to impart and promote education, the study of Vedas, Vedangs, ancient Sanskrit or other literature science and industry.
- d. To obtain the services of Preachers of the Vedic religion.
- e. To assist orphans and the poor.
- f. To organize preaching of Vedic religion.
- g. To promote and direct weekly/fortnightly/monthly/yearly Satsang of members for religious worship.
- h. To safeguard the present and future interests of the Arya Samajs and the Arya Samaj institutions.
- i. To improve, manage, develop, lease, and supervise the property and funds of the Sabha.
- j. To acquire, accept or secure property or trusts in favor of or in furtherance of the objects of the Sabha or for the general welfare of the country.
- k. To deal with the property or the trusts and use funds of the Sabha directly or through its trustees.
- l. To borrow money on any security.
- m. To undertake commercial, industrial, residential and other property development for the purpose of letting out as shops, offices or residence or other purposes and to borrow or raise money for such purposes with or without security and upon such terms and in such manner as the Sabha may think fit.
- n. To do all things as are incidental or conducive to the attainment of any of the objects of the Sabha.





3. Incorporated Society with Charitable Status

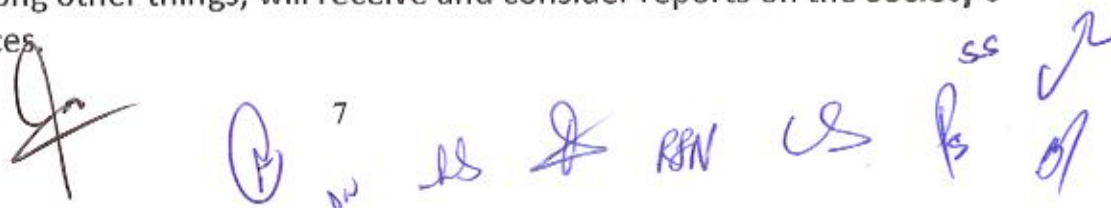
- a. The Society is already, or intends after incorporation, to be registered as a charitable entity under the Charities Act 2005.
- b. Society is established and maintained exclusively for charitable purposes (including any purposes ancillary to those charitable purposes), namely:
- **Relieving poverty** by providing assistance, resources, and support to individuals and families in need, including but not limited to food, shelter, clothing, health, and welfare services.
 - **Advancing education** by establishing and supporting educational programmes, scholarships, classes, training, and other initiatives that promote knowledge, skills, and learning opportunities for people of all ages.
 - **Advancing religion** by promoting the study, practice, teaching, and observance of the Vedas and its teachings, including maintaining places of worship and organising religious, spiritual, and cultural activities.
 - **Benefitting the community** by undertaking initiatives that improve social, cultural, environmental, and economic wellbeing, encourage community participation, and foster harmony, inclusion, and cohesion.
- c. Any income, benefit, or advantage must be used to advance the charitable purposes of the **Society**
- d. Nothing in this **Constitution** authorizes the **Society** to do anything which contravenes or is inconsistent with the **Act**, any regulations made under the **Act**, or any other legislation.
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4. Definitions

In this **Constitution**, unless the context requires otherwise, the following words and phrases have the following meanings:

'**Act**' means the Incorporated Societies Act 2022 or any Act which replaces it (including amendments to it from time to time), and any regulations made under the Act or under any Act which replaces it.

'**Annual General Meeting**' means a meeting of the **Members** of the **Society** held once per year which, among other things, will receive and consider reports on the **Society's** activities and finances.

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'Chairperson' means the **Officer** responsible for chairing **General Meetings** and committee meetings, and who provides leadership for the **Society**.

'Committee' means the **Society's** governing body.

'Constitution' means the rules in this document.

'Deputy Chairperson' means the **Officer** elected or appointed to deputise in the absence of the **Chairperson**.

'General Meeting' means either an **Annual General Meeting** or a **Special General Meeting** of the **Members** of the **Society**.

'Interested Member' means a **Member** who is interested in a matter for any of the reasons set out in section 62 of the **Act**.

'Interests Register' means the register of interests of **Officers**, kept under this **Constitution** and as required by section 73 of the **Act**.

'Matter' means—

the **Society's** performance of its activities or exercise of its powers; or

an arrangement, agreement, or contract (a transaction) made or entered into, or proposed to be entered, by the **Society**.

'Member' means a person who has consented to become a **Member** of the **Society** and has been properly admitted to the **Society** who has not ceased to be a **Member** of the **Society**.

'Notice' to **Members** includes any notice given by email, post, or courier.

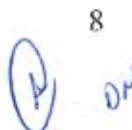
'Officer' means a natural person who is:

a member of the **Committee**, or

occupying a position in the **Society** that allows them to exercise significant influence over the management or administration of the **Society**, including any Chief Executive or Treasurer.

'Register of Members' means the register of **Members** kept under this **Constitution** as required by section 79 of the **Act**.

'Secretary' means the **Officer** responsible for the matters specifically noted in this **Constitution**.



'Special General Meeting' means a meeting of the **Members**, other than an **Annual General Meeting**, called for a specific purpose or purposes.

'Working Days' mean as defined in the Legislation Act 2019. Examples of days that are not **Working Days** include, but are not limited to, the following — a Saturday, a Sunday, New Years Day (1+2), Anniversary Days, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, Labour Day, Christmas Day, and Boxing Day.

5. Act and Regulations

Nothing in this **Constitution** authorises the **Society** to do anything which contravenes or is inconsistent with the **Act**, any regulations made under the **Act**, or any other legislation.

6. Registered Office

a. The registered Office of the Society is 593 Blockhouse Bay Road, Blockhouse Bay, Auckland 0600, New Zealand.

7. Contact Person

- a. The **Society** shall have at least 1 but no more than 3 contact person(s) whom the Registrar can contact when needed.
- b. The **Society's** contact person must be:
- At least 18 years of age, and
 - Ordinarily resident in New Zealand
 - qualified as an Officer of the Sabha – refer Clause 37 of this Constitution.
- c. If a change in Contact Person is considered necessary, the **Executive Committee** may appoint a replacement on an interim basis, such appointment to be **approved or elected by the Members** at the next General Meeting.
- d. Each contact person's name must be provided to the Registrar of Incorporated Societies, along with their contact details, including:
- a physical address or an electronic address, and
 - a telephone number.

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e. Any change in that contact person or that person's name or contact details shall be advised to the Registrar of Incorporated Societies within 20 **Working Days** of that change occurring, or the **Society** becoming aware of the change.

8. Affiliation & Representation – (Also refer 17+ 18)

Affiliation Rules

1. Unregistered Arya Samaj:

- Must have similar objectives as the Sabha.
- Must have been in existence (but not registered).
- Must have at least **10 adult members (18+ years)**.
- Can be affiliated by **majority vote** of the Sabha's Executive.

2. Registered Incorporated Society:

- With similar objectives may seek affiliation.
- Must first **deregister** before applying for affiliation.

3. Entitlement to Delegates:

- Each affiliated Arya Samaj may elect **2 delegates** for the first 10 financial members.
- Plus **1 delegate for each additional 5 members**.

4. Age Requirement:

- Delegates must be **18 years or older** and must meet other requirements as per this constitution

5. Obligations of Affiliated Samajs

(a) Submit a **panel of delegates names** to the General Secretary at least **30 days before** Sabha AGM, but no later than 31st May each year.

(b) Submit to the General Secretary a list of **members as of 31st March** at least **30 days before** the Sabha AGM, but no later than 31st May each year:

- (i) A complete list of all its current members; and
- (ii) Attendance records for any members elected to the Samaj Executive position and/or serving as Delegates.

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(c) Submit **audited annual accounts** (as of 31st March) by **31st May**, duly endorsed by their own AGM with Minutes (of AGM) as Confirmation . (Refer Clause 67).

(d) Pay **annual affiliation fees** (minimum \$100, amount to be reviewed by Sabha) by 31st May each year.

(e) Pay **delegate fees (\$20 per delegate, minimum)** to Sabha annually. The Samaj will seek reimbursement of this amount directly from each Delegate.

(f) Eligibility of Delegates, Office Bearers + Executive Committee Members:

- Each Office Bearer, Executive Committee Member and Delegate must have attended a minimum of **7 satsanghs** in the relevant financial year, as per below: -
 - a. Must attend at least **5 monthly Satsanghs** of their own Samaj.
 - b. Plus at least **2 Satsanghs of other affiliated Samajs or Sabha Satsanghs**, making a total of at least 7 satsanghs.
 - c. If the member has attended at least 7 Satsanghs of his/her own Samaj, then he/she automatically qualifies, regardless of additional combined Sabha events.
- For this clause, *Satsanghs* shall include regular monthly prayer meetings as well as Samaj/Sabha-organized activities such as Walkathons, Gayatri Mahayaj preparations, Deepawali, Holi, Ved Prachaar, Walk-A-Thon/Clean-A-Thon, clean-up events, and other religious or community activities officially convened by the Samaj or Sabha.
- Attendance must be for the Financial Year (**12 months**) prior to AGM.

(g) Non-compliance:

- Any Samaj not meeting obligations in 8 (5) (a) – (f) is **not entitled to participate** in AGM/SGM and may lose their affiliation.
- The Sabha shall not be liable for any costs resulting from misconduct or wrongdoing by an individual Samaj. Notwithstanding this, the Sabha may, at its sole discretion, intervene and/or aid where it considers it fit and proper to do so.

9. Minimum Number of Members

- a. Each affiliated Samaj must maintain a minimum number of 10 financial members.
- b. The **Society** shall maintain the minimum number of **Members** required by the **Act**.

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10. Types of Members

Classes of Membership

The classes of membership and the method by which Members are admitted to different classes of membership are as follows:

(a) Member

A **Member** is an individual admitted to membership under this Constitution and who has not ceased to be a member. A Member has all the rights, privileges, and duties of membership, including the obligation to pay any subscriptions and levies.

(b) Life Member - A **Life Member** is a person honoured for **valued and exceptional** services to the Society of at least twenty (20) years to the movement of the Arya Samaj in New Zealand, with **at least 15 years** served as a member of an affiliated Samaj of the Sabha.

- Nomination for Life Membership must be received by the General Secretary in the form of a resolution at least 30 clear days before the date of the Annual General Meeting ("AGM").
- Such resolution must have the support of at least 50% of their Samaj Executive Committee and another 67% of the Sabha Executive Committee, before being presented to the Sabha AGM
- To be elected, the nominee must then receive at least 67% majority of those Members present and voting at the AGM.
- A Life Member shall not have any voting rights and/or privileges of a Financial Member.
- A Life Member shall not be eligible to be elected or appointed to any position within a Samaj or the Sabha.
- Life Membership is purely honorary and does not confer governance, representative, or decision-making powers.

(c) Honorary Member

An **Honorary Member** is a person honoured for services to the Society or in an associated field.

- Honorary Members are elected by resolution of a General Meeting passed by at least a 75% majority of those Members present and voting.

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- An Honorary Member shall not have any membership rights, privileges, or duties.

(d) Arya Bhushan

The title of **"Arya Bhushan"** may be conferred on any Member for continuous service to Arya Samaj of at least twenty-five (25) years to the movement of the Arya Samaj in New Zealand, with **at least 20 years** served as a member of an affiliated Samaj of the Sabha.

- The motion for appointment must originate from a financial member of an affiliated Arya Samaj of the Sabha and be passed by that Samaj's Executive Committee.
- The motion must then be approved by at least 66.67% (two-thirds) of the Executive Committee of the Sabha before being presented to the AGM or Special General Meeting ("SGM").
- To be elected, the nominee must receive at least a 66.67% (two-thirds) majority of those Delegates present and voting at the AGM or SGM.

(e) Arya Ratna (Most Prestigious Award)

(i) The title of **"Arya Ratna"** may be conferred on any Member for **prodigious, exceptionally valuable, and long-standing contribution** of at least thirty (30) years to the movement of the Arya Samaj in New Zealand, with **at least 20 years** served as a member of an affiliated Samaj of the Sabha. Must have served in Leadership roles (Patron, President, Vice-President, Secretary, Treasurer, Purohit, or Trustee roles) with the Sabha for at least 15 years, OR,

(ii) The title of **"Arya Ratna"** may be conferred on any Member for **prodigious, exceptionally valuable, and long-standing contribution** of at least fifteen (15) years to the movement of the Arya Samaj outside New Zealand (subject to written confirmation from their respective Arya Pratinidhi Sabha, or equivalent, of that Country), plus **at least 15 years** served as a member of an affiliated Samaj of the Sabha. Must have served in Leadership roles (Patron, President, Vice-President, Secretary, Treasurer, Purohit, or Trustee roles) with the Sabha for at least 15 years.

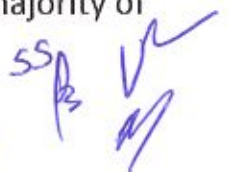
- The motion for appointment must originate from a financial member of an affiliated Arya Samaj of the Sabha and be passed by that Samaj's Executive Committee.
- The motion must then be approved by at least 66.67% (two-thirds) of the Executive Committee of the Sabha before being presented to the AGM or Special General Meeting ("SGM").
- To be elected, the nominee must receive at least a 66.67% (two-thirds) majority of those Delegates present and voting at the AGM or SGM.











- The Arya Ratna should be reserved for rare individuals who embody the *soul of the Arya Samaj* — pioneers, reformers, served in Leadership roles, and selfless workers whose entire life has been dedicated to the Vedic cause. Giving it too frequently or too lightly dilutes its value.

{f}. Patron

- The Sabha or Samaj shall, at its Annual General Meeting (AGM) each year, appoint a distinguished person, recommended and approved by the Executive Committee, to serve as **Patron**.
- The **Sabha Patron** shall be entitled to attend all meetings of the Sabha as well as any meetings of the Affiliated Samajs.
- The **Samaj Patron**, if appointed/elected, shall be entitled to attend meetings of its own Samaj only.
- The Patron must be a current financial member of an Affiliated Arya Samaj.
- The Sabha Patron's role shall be primarily advisory and ceremonial, providing guidance, inspiration, and support to the Sabha and its affiliates.
- The Samaj Patron's role shall be primarily advisory and ceremonial, providing guidance, inspiration, and support to its Samaj.
- **Eligibility Criteria:**
 - a. Must have demonstrated long standing commitment and active service to the Arya Samaj movement (NZ and abroad) and its principles for at least thirty (30) years.
 - b. Must possess a reputation for integrity, moral leadership, and respect within the community.
 - c. Should have made a significant contribution in promoting Vedic values, community service, education, or cultural development.

(g) Trustee – Please Refer Clause # 79 for details.

11. Becoming a Member Consent and Process

- a. Every applicant for membership must give written consent to become a member in the prescribed form (refer Schedule "A" – Membership Application Form in the Appendices – **Membership Information Sheet and acknowledgement**).

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- b. An applicant must complete and sign the Sabha Membership Application Form and provide such information, documentation, or attend an interview as may be reasonably required by the Samaj Committee and/or the Sabha Committee. Membership shall take effect only upon formal acceptance of the application by the Committee.
- c. Membership of affiliated Samaj shall be based on genuine adherence to the principles and teachings of Arya Samaj as propounded by Maharishi Dayanand Saraswati ji and shall not be created, increased, or maintained solely for numerical strength, or any other improper purpose. Each affiliated Samaj must ensure that individuals admitted as members have a bona fide connection to Arya Samaj and, where required under the Incorporated Societies Act 2022, may obtain reasonable information to evidence such connection.
- d. The Samaj Committee may accept or decline any application for membership at its sole discretion and must notify the applicant of its decision.
- e. The signed written consent of every member shall be retained in the Samaj's membership records. Each affiliated Samaj must maintain complete, accurate, and up-to-date membership records, including all signed consents.
- f. Each affiliated Samaj shall provide to the Sabha General Secretary, on or before **31 May** each year:
- a complete list of all current members;
 - a copy of the Membership Application Form for each current member; and
 - attendance records for members elected to the Samaj Executive and/or serving as Delegates.

12. Members' Obligations and Rights

- a. Every Member, over 18 years of age, shall provide the Samaj/**Society** in writing with that **Member's** name and contact details (namely, physical address, email address, if available, and a telephone number) and promptly advise the Samaj and the **Society** in writing of any changes to those details, within 20 days.
- b. All **Members** shall promote the interests and purposes of the Samaj/**Society** and shall do nothing to bring the Samaj/**Society** into disrepute.
- c. A **Member** is only entitled to exercise the rights of membership (including attending and voting at **General Meetings**, accessing or using the Samaj/**Society's** premises, facilities, equipment and other property, and participating in Samaj/**Society** activities) if all subscriptions and any other fees have been paid to the Samaj/**Society** by their respective due dates, but no **Member** or **Life Member** is liable for an obligation of the Samaj/**Society** by reason only of being a **Member**.

d. The **Committee** may decide what access or use **Members** may have of or to any premises, facilities, equipment or other property owned, occupied or otherwise used by the **Society**, and to participate in Samaj/**Society** activities, including any conditions of and fees for such access, use or involvement.

13. Subscription and Fees

a. The annual subscription is set at \$10 per annum per member.

b. The annual subscription and any other fees for membership for the then current financial year shall be set by resolution of the Sabha **General Meeting**.

c. Any **Member** failing to pay the annual subscription, any levy, or any capitation fees, by the due date shall be considered as unfinancial and shall (without being released from the obligation of payment) have no membership rights and shall not be able to exercise their rights of a financial member.

d. If such arrears are not paid within 30 **Days** of the due date for payment of the subscription, any other fees, or levy the **Committee** may terminate the **Member's** membership (without being required to give prior notice to that **Member**).

14. Ceasing to be a Member

A. Any Member ceases to be a Member—

a. by resignation from that **Member's** class of membership by written notice signed by that **Member** to the Samaj or Sabha **Committee**, or

b. on termination of a **Member's** membership following a dispute resolution process under this **Constitution**, or

c. on death

d. by resolution of the Samaj **Committee** where the **Member** has failed to pay a subscription, levy or other amounts due to the **Samaj** or **Sabha** within 30 **Days** of the due date for payment.

e. by resolution of the Samaj **Committee** and in the opinion of the Sabha



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Committee the **Member** has brought the **Society** into disrepute.

B. With Effect From –

- a. the date of receipt of the **Member's** notice of resignation by the **Samaj Committee** (or any subsequent date stated in the notice of resignation), or
- b. the date of termination of the **Member's** membership under this **Constitution**, or
- c. the date of death of the member
- d. the date specified in a resolution of the **Sabha Committee** and when a **Member's** membership has been terminated the **Samaj Committee** shall promptly notify the former **Member** in writing.

15. Obligations once Membership has Ceased

A **Member** who has ceased to be a **Member** under this **Constitution**—

- a. remains liable to pay all subscriptions and other fees to the **Samaj's** next balance date,
- b. Ceases to hold himself or herself out as a **Member** of the **Society**, and
- c. shall return to the **Society** all material provided to the **Member** by the **Samaj** or **Sabha** (including any membership certificate, badges, handbooks and manuals)
- d. shall return to the **Society** all Files, Correspondence, Accounts, Receipts, Minutes, Receipt Books, if that member was also an Executive Member and/or delegate and in possession of such material.
- e. shall cease to be entitled to any of the rights of a **Society Member**.

16. Becoming a Member Again

- a. Any former **Member** may apply for re-admission in the manner prescribed for new applicants and may be re-admitted only by resolution of the **Samaj Committee**.
- b. But, if a former **Member's** membership was terminated following a disciplinary or dispute resolution process, the applicant may be re-admitted only by a resolution passed at a **SGM/AGM** on the recommendation/s of the member's **Samaj Committee**.

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17. Application for Affiliation (Refer Schedule "C" in Appendices)

(a) Eligibility

(i) Any Arya Samaj already incorporated is not eligible for affiliation with the Sabha. If, in the future, any affiliated Arya Samaj becomes incorporated, it shall automatically lose its affiliation with the Sabha. Furthermore, any Arya Samaj affiliated to the Sabha shall not be affiliated with any other body.

(ii) Any Arya Samaj not affiliated to another organization, and which follows the Ten Principles of Arya Samaj, may seek **association** with the Sabha. Acceptance of such an Arya Samaj shall be at the sole discretion of the Sabha. An "Associated" Arya Samaj shall have no rights or say in the affairs and business of the Sabha.

(b) Application Process

Any Arya Samaj desiring affiliation with the Sabha shall submit its application on the prescribed form, (Please Refer Schedule "C" Application for Affiliation in the Appendices) as set out by the Sabha, and at least 60 days prior to the date of the Annual General Meeting for consideration.

(c) Decision of the Executive Committee

The Sabha Executive Committee may request further information before determining the application. The Committee has the authority to accept or reject any application, and its decision shall be final and binding upon all parties. No appeal in any form shall lie against the decision of the Sabha Executive Committee.

(d) Maintaining Affiliation

(i) Each and Every affiliated Arya Samaj must comply with this Constitution, the directions of the Sabha Executive Committee, and all lawful decisions of the Sabha.

(ii) Each affiliated Arya Samaj shall maintain its Registers of Members (Please refer to Schedule "C" in Appendices) and Satsangs in accordance with Clause 19 of this Constitution and provide such information as may be required by the General Secretary of the Sabha.

(iii) All subscriptions, levies, or dues payable to the Sabha by an affiliated Arya Samaj must be paid within the time prescribed by the Sabha Executive Committee.

(iv) Failure to comply with any of the above obligations may result in suspension or termination of affiliation by resolution of the Sabha Executive Committee, whose decision shall be binding and final.

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18. Affiliated Samaj

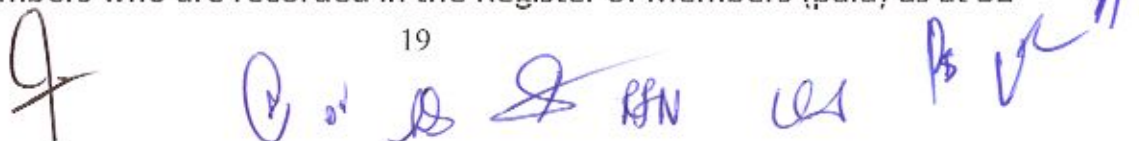
In the conduct of their affairs, each affiliated Arya Samaj shall observe the following:

- (a) Collect an annual membership fee of **\$10.00** (or such other amount as determined by the Sabha) from each of its members.
- (b) (i) Maintain a Register of Members as required by clause 19 of this Constitution.
(ii) Membership growth within affiliated Samaj must reflect genuine belief in and adherence to Arya Samaj values and shall not be driven by numerical expansion or electoral considerations. Affiliates are responsible for ensuring that all members have a bona fide connection to Arya Samaj and that membership records comply with the Incorporated Societies Act 2022, thereby protecting the integrity of the Sabha and the movement.
- (c) Hold regular Satsangs and maintain a monthly Satsang Register as required by Clause 19 (B) of this Constitution. **(Registers of Members, Satsangs and Returns to be Submitted)** of this Constitution.
- (d) Admit as members only those who are willing to follow the principles of Arya Samaj and who have signed an application form undertaking to abide by the Constitution of the Sabha. The Executive Committee of each Samaj shall have the authority to accept or reject any application, and its decision shall be binding and final.
- (e) No person who is an office-bearer of any religious organization whose principles or practices conflict with the principles of Arya Samaj or the teachings of Swami Dayanand Saraswati shall be admitted as a member of any affiliated Arya Samaj.
- (f) No person shall be a member of more than one Arya Samaj at the same time in New Zealand.
- (g) Hold its Annual General Meeting (AGM) before 31st **May** in the year following the close of its financial year.
- (h) Provide at least **14 clear days' notice** of its AGM/SGM to members, and at least **7 clear days' notice** of Executive Committee meetings.
- (i) **Quorum requirements:**
 - (a) For General Meetings: - please refer Quorum (22) of this constitution for details.
 - (b) For Executive Committee Meetings: At least **50% of Executive Committee members** must be present, either physically or via approved social media platforms, refer clause 61 of this Constitution.

(j) **Voting rights and eligibility:**

Only those members who are recorded in the Register of Members (paid) as at 31

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March of that year shall be entitled to vote at the AGM of the affiliated Arya Samaj. They may also be eligible for election to its Executive Committee, provided they also meet the required number of Satsang attendances. Members who have not paid their subscriptions by **31 March** shall have no voting rights and shall not be eligible for election to the Samaj Executive Committee and/or as delegates.

(k) Election of office-bearers: Each affiliated Arya Samaj shall annually elect the following office-bearers: **President, Vice President, Secretary, Treasurer, Public Relations Officer (optional)**, and such other Executive Committee officers as it deems necessary but not exceeding Four (4). More than one person may be appointed to offices other than President or Vice President (e.g., Assistant Secretary, Assistant Treasurer), with duties divided by the Executive Committee.

(l) Obligations of the outgoing Committee after AGM, SGM or withdrawal, dissolution, suspension, or termination: Please see clause 75.

- (i) Immediately following the conclusion of any Special General Meeting (SGM) or Annual General Meeting (AGM), and in any event no later than five (5) days thereafter, the outgoing committee of an affiliated Arya Samaj/Sabha shall transfer and deliver to the **incoming committee** all funds and property whatsoever, including but not limited to: all monies, all assets including fixed and non-fixed assets, receipts, receipt books (new, used, and in-use), cash, cash on hand, debtors, bank balances and bank accounts, financial records, minutes, registers, membership records, correspondence, inventories, and all movable and immovable property of the Samaj.

(ii) In the event of **withdrawal, dissolution, suspension, or termination of any affiliated Arya Samaj** for any reason whatsoever, all property of that Samaj shall remain and be deemed to be the **property of the Sabha** and shall be returned and delivered to the Sabha within five (5) days of such withdrawal or termination. This includes, without limitation: all funds including bank accounts, receipts, receipt books (old, new, and in use), cash, cash on hand, cash investments, bank investments, debtors, rental income, interest (including accrued interest), shares, dividends, bonds, and any other form of investment; all correspondence, meeting records, minutes, membership forms, all registers, records, documents; and all assets and belongings including land, buildings, furniture, hawan kund, Vedas, chattels, and any other property of whatsoever kind or nature and wheresoever situated.

(iii) For the avoidance of doubt, in all circumstances, all funds, property, assets, records, bank accounts/balances, investments, inventory, and belongings of every affiliated Arya Samaj, whether current or former, shall vest absolutely and

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irrevocably in the Sabha, and no affiliated Samaj, committee member, office bearer, or individual shall have any proprietary, beneficial, or equitable interest therein.

(iv) All affiliated Arya Samajs expressly agree and acknowledge that:

(a) this Constitution is the sole, supreme, and binding governing document regulating the affairs, governance, rights, obligations, property, and dispute resolution of the Sabha and all affiliated Arya Samajs; and

(b) The parties acknowledge that the intention of this Constitution is for disputes to be resolved internally and in accordance with its provisions

(m) Hold **Executive Committee meetings** at least once every six months, present draft financial accounts, and forward a copy to the General Treasurer of the Sabha.

(n) Ensure that proper accounts are kept of all finances, and that such accounts are audited annually in accordance with Clauses 67 of this Constitution.

(o) Receipting of donations

All donations shall be recorded in the official Receipt Books supplied by the Sabha, and receipts issued in the donor's name. **Please refer to No. 61** for details.

(p) Forward **Minutes** of all Executive Committee meetings and AGM/SGM to the General Secretary within 15 days' time of such meeting.

(q) Any member whose conduct brings the Samaj into disrepute may be suspended or expelled from membership of the Samaj by the Executive Committee of the Sabha, on the recommendation of the affiliated Samaj.

(r) The Sabha may, at its discretion, suspend or expel any member whose conduct brings the Sabha or any affiliated Samaj into disrepute, without the need for a recommendation from the member's affiliated Samaj.

(s) No resolution for suspension or expulsion of a member shall be entertained unless it is included in the agenda of the meeting, and unless the member concerned has been served with written notice at least **seven (7) clear days** before the meeting, specifying the reasons for the proposed suspension or expulsion.

(t) Any member against whom a suspension or expulsion motion is proposed shall be given the opportunity to respond to any charge made against them.

(u) All affiliated Arya Samajs shall abide by the directives of the Executive Committee of the Sabha in all matters pertaining to the Samaj.

(v) The Treasurer of each Samaj shall not keep more than **\$1,000 cash in hand** at any time except in unavoidable circumstances. All monies received shall be banked intact within **14 days of receipt**, and the Treasurer shall make every effort to collect

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subscriptions and other monies as directed by the Executive Committee before the due date.

(w) Failure to meet any of the above obligations may result in **suspension, termination, or cancellation of affiliation** by the Sabha.

(x) Transfer of Responsibilities after AGM, OR Samaj Withdrawal, or Termination

- Immediately after the AGM, the outgoing committee of an affiliated Arya Samaj shall transfer **all funds, assets, receipts, receipt books, cash, and inventory** to the incoming committee, but no later than 5 days of the AGM date.
- In the event of **withdrawal or termination** of any affiliated Samaj, **all funds, assets, receipts, cash, correspondence, inventory, and belongings shall remain the property of the Sabha and must be returned within five (5) days of withdrawal or termination.**

19. Register of Members & Returns to be Submitted

Registers of Members and Satsangs

The Society shall keep an up-to-date Register of Members.

A. Affiliated Samaj

(i) Each affiliated Samaj shall maintain a Register of Members, which shall record the following details:

- Full name of the member
- Residential address and/or electronic address
- Email address and Phone Number/s
- Occupation and DOB (Optional – members choice)
- The date on which they became a **Member** (if there is no record of the date they joined, this date will be recorded as 'Unknown'). All founding Members' joining date will be recorded as 2005.
- Receipt number for subscription and amount paid for that year
- Number of Satsangs attended. The Samaj may choose to record the number of Satsangs attended **only in respect of those members seeking election to an Executive position or appointment as a Delegate.**

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(ii) The Register shall be kept in a format prescribed by the Executive Committee of the Sabha and shall be made available to the Auditor and, if required, at any Annual General Meeting (AGM) or Special General Meeting (SGM).

(iii) Every current **Member** shall promptly advise the **Society** of any change of the **Member's** contact details.

(iv) Each Affiliated Samaj shall also keep a record of the former **Members** of the **Society**, and a copy of the Report of members must be made available to the Sabha General Secretary upon request. For each **Member** who ceased to be a **Member** within the previous 7 years, the Samaj will record:

- The former **Member's** name, and
- The date the former **Member** ceased to be a **Member**.
- Date of resignation, retirement, death, or disqualification

B. Satsang Register

Every affiliated Samaj and the Sabha shall maintain a Satsang Register, which shall contain:

- Names of members attending each Satsang
- phone number
- email (optional)
- Signatures of attending members
- The President, Vice President, Secretary, Treasurer, or such other person as may be approved by the Executive Committee of the Samaj conducting the Satsang, confirming the correctness of the entries by signing the end of the Register.

The Satsang Register shall be presented by each Samaj at every AGM or SGM of the Sabha. Entries contained in the Satsang Register shall be *prima facie* deemed to be correct unless proven otherwise.

Any Samaj not meeting obligations in Clause 18 and 8 (5) (a) – (5) (f) is **not entitled to participate** in AGM/SGM and may lose their affiliation.

C. Annual Membership Return & Attendance Requirement

[Refer Schedule "B" – Members' Register (by Samaj) in Appendices]

Each affiliated Samaj shall submit to the **General Secretary of Arya Samaj Pratinidhi Sabha New Zealand Incorporated**, no later than **31st May** of each year, a certified list of its members as at **31 March** of that year. The return must include:

1. **Membership Register** showing:

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- Full names of members
 - Receipt number for membership subscription
 - Amount paid
2. For members seeking election to their **Samaj Executive Committee** and/or as **Delegates to the Sabha**, the Samaj must also provide **Satsangh attendance records**:
- (a) Number of Samaj Satsanghs held during the year
 - (b) Number of Sabha/other affiliated Samaj Satsanghs attended.
 - (c) Total Number attended by the member = (a + b). Minimum to be 7 satsanghs per year.

D. SABHA = Master Register of Members

The General Secretary of the Sabha shall compile and maintain a **Master Register** of all members of the Sabha from the individual Samaj Registers. This Master Register shall include all the details as provided by each Samaj, including when joined and when left.

20. Annual General Meeting (AGM)

(Please refer to clauses 21 & 61 of this Constitution)

A. AGM Date – When they will be held

An **Annual General Meeting** shall be held once a year on a date and at a location and/or using any electronic communication determined by the **Committee** and consistent with any requirements in the **Act**, and the **Constitution** relating to the procedure to be followed at **General Meetings** shall apply.

The Sabha Annual General Meeting must be held no later than the earlier of the following:

- 6 months after the balance date of the **Society**
- 15 months after the previous annual meeting.

Therefore,

a. **SABHA** - The **Sabha AGM** will need to be held **no later than 30 September** of each year, but preferably before 31 August of each year.

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b. SAMAJ -

(I) Each Affiliated Arya Samaj shall hold its Annual General Meeting (AGM) **no later than 31st May** of each year.

(II) Following its AGM, and **no later than 15 June**, each Affiliated Arya Samaj must **provide the Sabha with the following documents** and information—

- a. A complete list of the names and details of all its financial Members;
- b. A record of Members present at the AGM, including those represented by proxy;
- c. The names and details of its elected Delegates (if any) to the Sabha;
- d. A certified copy of the AGM Minutes;
- e. Details of any motions adopted for submission to the Sabha;
- f. A copy of its audited or reviewed Financial Accounts; and
- g. The names and contact details of the incoming Committee members.

(III) Failure to comply with this clause may be considered by the Sabha in reviewing the standing and affiliation status of the Samaj under this Constitution.

B. AGM - Business

(I) The business of an **Annual General Meeting** shall be to—

- confirm the minutes of the last **Annual General Meeting** and any **Special General Meeting(s)** held since the last **Annual General Meeting**,
- adopt the annual report on the operations and affairs of the Samaj and/or **Society**,
- adopt the **Committee's** report on the finances of the samaj and **Society**, and the annual financial statements,
- set any subscriptions for the current financial year,
- consider any motions of which prior notice has been given to **Members** with notice of the **Meeting**, and
- consider any general business.

The **Committee** must, at each **Annual General Meeting**, present the following information—

- an annual report on the operation and affairs of the Samaj and **Society** during the most recently completed accounting period,
- the annual financial statements for that period, and

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- notice of any disclosures of conflicts of interest made by **Officers** during that period (including a summary of the matters, or types of matters, to which those disclosures relate).

C. Notice of AGM

(i) AGM Notice - Sabha

- a. The Sabha **Committee** shall give all **Members (Delegates)** at least **30 Days'** written **Notice** of any **General Meeting** and of the business to be conducted at that **General Meeting**.
- b. That **Notice** will be addressed to the **Member** at the contact addresses notified to the **Samaj/Society** and recorded in the **Samaj's/Society's** register of members. This letter may be posted or emailed, or Mobile text or Other social media means as an attachment.
- c. The **General Meeting** and its business will not be invalidated simply because one or more **Members** do not receive the **Notice** of the **General Meeting**.
- d. Only financial **Members** who are Delegates may attend, speak and vote at **General Meetings in person or Proxy as per (21) below**

(ii). AGM Notice – Samaj/s

- a. The Samaj's **Committee** shall give all **Members** at least **14 Days'** written **Notice** of any **General Meeting** and of the business to be conducted at that **General Meeting**.
- b. That **Notice** will be addressed to the **Member** at the contact address notified to the **Samaj/Society** and recorded in the **Samaj's/Society's** register of members. This letter may be posted or emailed, or Mobile text or Other social media means as an attachment.
- c. The **General Meeting** and its business will not be invalidated simply because one or more **Members** do not receive the **Notice** of the **General Meeting**.
- d. Only fully paid financial members may attend, speak and vote at **General Meetings in person or Proxy as per (21) below**.



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D. AGM – Procedures for All General Meetings

1. Attendance, Speaking, and Voting Rights at General Meetings

Only financial Members may attend, speak, and vote at General Meetings, either:

a. In person, or

b. By proxy, provided that:

- o The proxy is an original signed written proxy, or a scanned copy via email, photos of original signed letter via WhatsApp, Viber, Messenger, or other social media medium.
- o Proxy attendance (see Clause 21 d)
- o The proxy is only in favour of the Member (himself/herself) to enable that Member, if absent, to nominate themselves for any post or a clearly stated specific post in the Samaj and/or Sabha AGM or SGM, provided that member meets all the other criteria set out in this Constitution.
- o The proxy is received by, or handed to, the Committee before the commencement of the General Meeting.

2. No other form of proxy voting shall be permitted.

3. No **General Meeting** may be held unless the Quorum is established – refer Quorum Clause (22) for details.

4. If, within an hour after the time appointed for a meeting a quorum is not present, the meeting – if convened upon request of **Members** – shall be dissolved.

5. In any other case it shall stand adjourned to a day, time and place determined by the **Chairperson** of the **Society**, and if at such adjourned meeting a quorum is not present those **Members** present in person or by proxy shall be deemed to constitute a sufficient quorum. If a Samaj's AGM is adjourned, it must be reconvened and completed well before **31st May** to allow sufficient time for the preparation and submission of accurate Returns.

6. A **Member** is entitled to exercise one vote on any motion at a **General Meeting** in person, and voting at a **General Meeting** shall be by voices or by show of hands or, on demand of the chairperson or of 2 or more **Members** present, by secret ballot.

7. Unless otherwise required by this **Constitution**, all questions shall be decided by a simple majority of those in attendance in person and voting at a **General Meeting**.





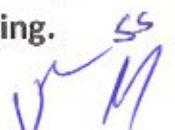












8. Any decisions made when a quorum is not present are not valid.

9. Written Resolution

a. in rare cases, and if urgent, The **Society** may pass a written resolution in lieu of a **General Meeting**, and a written resolution is as valid for the purposes of the **Act** and this **Constitution** as if it had been passed at a **General Meeting** if it is approved by no less than 75 percent of the **Members** who are entitled to vote on the resolution.

b. A written resolution may consist of 1 or more documents in similar form (including letters, electronic mail, or other similar means of communication) each proposed by or on behalf of 1 or more **Members**.

c. A **Member** may give their approval to a written resolution by signing the resolution or giving approval to the resolution in any other manner permitted by the **Constitution** (for example, by electronic means).

10. Where General Meetings Held & Chairperson Duties

a. General Meetings may be held at one or more venues by **Members** present in person and/or using any real-time audio, audio and visual, or electronic communication that gives each **Member** a reasonable opportunity to participate.

b. All **General Meetings** shall be chaired by the President/Chairperson. If the **Chairperson** is absent, the Vice-President shall chair that meeting.

c. Any person chairing a **General Meeting** has a deliberative and, in the event of a tied vote, a casting vote.

d. Any person chairing a **General Meeting** may —

(i) With the consent of a simple majority of **Members** present at any **General Meeting** adjourn the **General Meeting** from time to time and from place to place but no business shall be transacted at any adjourned **General Meeting** other than the business left unfinished at the meeting from which the adjournment took place.

(ii) Direct that any person not entitled to be present at the **General Meeting**, or obstructing the business of the **General Meeting**, or behaving in a disorderly manner, or being abusive, or failing to abide by the directions of the chairperson to be removed from the **General Meeting**, and

(iii) In the absence of a quorum or in case of emergency, adjourn the **General Meeting** or declare it closed.



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e. The **Committee** may propose motions for the **Society** to vote on (**Committee Motions'**), which shall be notified to **Members** with the notice of the **General Meeting**.

21. PROXY and Proxy Form

(Please Refer Schedule E & F in Appendices)

A. Purpose

- To enable members who cannot attend to still have the opportunity to nominate themselves for any post, or for a specific post (to be clearly mentioned), in the Samaj and/or Sabha AGM or SGM.
- To ensure that the AGM/SGM processes are inclusive and representative of the wider membership.

B. Key Components of a Proxy Form

- The proxy must be on the Samaj/Sabha's prescribed Proxy Form.
- The proxy form must clearly state that the member regrets being unable to attend the Samaj/Sabha Annual or Special General Meeting scheduled for [insert date].
- For the purposes of **determining a quorum**—
 - a. Members present in person shall be counted; and
 - b. Members represented by a valid **proxy attendance**, lodged in accordance with this Constitution, shall also be deemed present.
- The proxy form must include the member's details:
 - Full name
 - Address
 - Phone number
 - Membership details (if applicable, optional)
 - Signature
 - and date

C. Submission of Proxy Forms

- A proxy may be appointed only by submitting a signed original written proxy form that is either:

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1. Physically delivered to the Committee; or
2. Sent by email as a scanned copy of the original signed document, attached in its entirety; or
3. Sent by fax, or as a clear photo of the signed form forwarded via social media medium.
4. Proxy forms must be received before the commencement of the AGM/SGM (or any adjourned meeting)
5. No other form of proxy will be permitted.

D. Scope of Proxy

A member may choose to:

1. Provide **proxy attendance** for Annual General or Special General Meetings and/or any subsequent meeting if postponed due to lack of quorum; and/or
2. In addition to proxy attendance, give **consent to be nominated** for any post in their respective Samaj and/or Sabha for the said meeting and/or any subsequent meeting if postponed due to lack of quorum.

E. Undertaking

- The member signing the Proxy Form agrees and **undertakes to abide by the majority decisions taken** at the AGM/SGM.

F. Exclusion

This **proxy does not entitle the member to vote** on any resolution, proposal, or election at the AGM Or SGM, however, the member may vote in favour or against any motion that was already disclosed on the 30 days Sabha's Notice of AGM/SGM.

22. Quorum

(Please refer to clauses 20, 21 & 61 of this Constitution)

A. Committee Meeting Quorum is at least half the number of members of the Committee.

A meeting of the **Committee** may be held; -

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- a. by several of the members of the **Committee** who constitute a quorum, being assembled together at the place, date and time appointed for the meeting; or
- b. by means of audio, or audio and visual communication, by which all members of the **Committee** participating and constituting a quorum can simultaneously hear each other throughout the meeting, or
- c. A combination of a + b.

B. Resolutions - A resolution of the **Committee** is passed at any meeting of the **Committee** if a majority of the votes cast on it are in favour of the resolution. Every **Officer** on the **Committee** shall have one vote.

C. Chairperson - The President, or in its absence the Vice President will act as chairperson of the **Committee**. If at a meeting of the **Committee**, the President and the Vice President are not present, the members of the **Committee** present may choose one of their number to be chairperson of the meeting. The chairperson **WILL** have a casting vote in the event of a tied vote on any resolution of the **Committee**.

Except as otherwise provided in this **Constitution**, the **Committee** may regulate its own procedure.

D. Sabha – General Meeting Quorum Requirement

- a. No General Meeting of the Sabha may proceed unless at least **66.67% (two-thirds)** of eligible Delegates are in attendance throughout the meeting, whether:
 - (i) physically present, or
 - (ii) participating by real-time audio, audio-visual, electronic communication, or other approved social media platform that provides each Delegate with a reasonable opportunity to participate, or
 - (iii) represented by valid proxies lodged in accordance with this Constitution.
- b. **Of the 66.67%** quorum requirement:
 - (i) at least **50%** of eligible Delegates must be present and participating (in person or electronically), and
 - (ii) up to **16.67%** may be represented by proxies.
- c. Where at least **66.67%** of Delegates are present and participating in person or electronically, proxies are not required to form a quorum.
- d. The attendance, proxies, and quorum figures must be recorded in the minutes of the meeting.
- e. Any decision made when a quorum is not present is invalid.

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E. Samaj - General Meeting Quorum Requirement

- a. No General Meeting of the Samaj may proceed unless at least 50% (**half**) of eligible Members are in attendance throughout the meeting, whether:
 - (i) physically present, or
 - (ii) participating by real-time audio, audio-visual, electronic communication, or other approved social media platform that provides each Delegate with a reasonable opportunity to participate, or
 - (iii) represented by valid proxies lodged in accordance with this Constitution.
- b. **Of the 50%** quorum requirement:
 - (i) at least 33.33% (One-Third) of eligible Delegates must be present and participating (in person or electronically), and
 - (ii) up to **16.67%** may be represented by proxies.
- c. Where at least **50%** of Members are present and participating in person or electronically, proxies are not required to form a quorum.
- d. The attendance, proxies, and quorum figures must be recorded in the minutes of the meeting.
- e. Any decision made when a quorum is not present is invalid.

F. Lack of Quorum - If, within an hour after the time appointed for a meeting a quorum is not present, the meeting – if convened upon request of **Members** – shall be dissolved. In any other case it shall stand adjourned to a day, time and place determined by the **Chairperson** of the Sabha and/or Samaj and if at such adjourned meeting a quorum is not present, those **Members** present in person, or by any real-time audio, audio and visual, or electronic communication, shall be deemed to constitute a sufficient quorum.

G. Voting at General Meetings – Please also refer **Clause 86** of this Constitution.

- a. A Member is entitled to exercise one (1) vote on any motion at a General Meeting, either in person or by proxy (provided that the motion was included in the notice of meeting and the Member has expressly stated their views in the Proxy Form). Voting at a General Meeting shall be conducted by voices or by show of hands. However, upon the demand of the Chairperson, or at the request of two (2) or more Members present, or at the request of the mover of the motion, voting shall be conducted by **secret ballot** (please refer to clause 86 of this Constitution)

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b. Unless otherwise required by this **Constitution**, all questions shall be decided by a simple majority of those in attendance, and or by any real-time audio, audio and visual, or electronic communication and voting at an executive meeting or a **General Meeting** or voting by remote ballot.

c. Any decisions made when a quorum is not present are not valid

H. Secret Ballot Procedures — Please also refer **Clause 86** of this Constitution

1. Decision to Hold Ballot

A secret ballot shall be conducted if:

- o The Chairperson so decides, or
- o Two (2) or more Members present at the meeting request it, or
- o The mover of the motion requests it.

2. Ballot Papers

- o The General Secretary (or a person appointed by the Chairperson) shall prepare and distribute ballot papers to all eligible Members present.
- o Each ballot paper shall clearly state the motion to be voted upon, with options for *For, Against, and Abstain*.

3. Casting of Votes

- o Each eligible Member shall mark their vote in secret and deposit their completed ballot paper into a sealed ballot box.
- o Proxy votes, where permitted under the Constitution, shall be included in the ballot count in accordance with the Proxy Form submitted.

4. Counting of Votes

- o The Chairperson shall appoint at least two (2) scrutineers (not being movers, seconders, or direct parties to the motion) to count the votes.
- o Scrutineers shall ensure accuracy and fairness in the count and report the results to the Chairperson.

5. Declaration of Result

- o The Chairperson shall announce the result of the ballot to the meeting immediately after the count.

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- o The declared result shall be final and binding and recorded in the minutes of the meeting.

6. Retention of Ballot Papers

- o All completed ballot papers shall be retained securely by the General Secretary for a period of at least **twelve (12) months**, after which they may be destroyed, unless required for audit, dispute resolution, or legal purposes.

23. Minutes

- a. All Affiliated Samajs and the Sabha must keep Minutes of all Executive Committee meetings and all AGM and SGM.
- b. Minutes of all Samaj Meetings (Executive Committee meetings, AGM and SGM) must be forwarded to the General Secretary of the Sabha within 21 days of such meeting.

24. Special General Meeting (SGM)

(Please refer to clauses 20, 21 & 61 of this Constitution)

- a. **Special General Meetings** may be called at any time by the **Committee** by resolution.
- b. The **Committee** must call a **Special General Meeting** if it receives a written request signed by at least 25% Percent of **Members**.
- c. Any resolution or written request must state the business that the **Special General Meeting** is to deal with.
- d. The rules in this **Constitution** relating to the procedure to be followed at **General Meetings** shall apply to a **Special General Meeting**, and a **Special General Meeting** shall only consider and deal with the business specified in the **Committee's** resolution or the written request by **Members** for the **Meeting**.

25. Committee Composition – Office Bearers

(a) SABHA OFFICE BEARERS

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The Office Bearers of the **Sabha** shall be:

- * Patron [see Clause 10 (f)]
- * National President (See # 68)
- * Two (2) Vice Presidents – (Vice President # 1 and Vice President # 2).
- * General Secretary
- * Assistant Secretary
- * General Treasurer
- * Assistant Treasurer
- * Public Relations Officer
- * Asset Manager
- * Up to a Maximum of Four (4) Executive Committee Members

(b) SAMAJ OFFICE BEARERS (please refer to Schedule “D” in the Appendices)

The Office Bearers of the **Samaj** shall be:

- * Patron (Optional - the Patron must meet criteria as per Clause 10 (f)).
- * President
- * Vice President (Optional)
- * Secretary
- * Treasurer
- * Public Relations Officer (Optional)
- * Up to a maximum of Four (4) Executive Members.

(c) SAMAJ - Multiple Appointments and Division of Duties

- More than one person may be appointed to offices other than **President** or **Vice President** (e.g., Assistant Secretary, Assistant Treasurer).
- Where multiple persons are appointed to the same office, the **Executive Committee of the Samaj** shall determine, divide, and allocate the specific duties and responsibilities among them.
- In cases of uncertainty or overlap of duties, the **Executive Committee’s decision shall be final.**

(d) Tenure and Re-election

- The tenure of all office bearers, both Sabha and affiliated Arya Samajs, shall be **one (1) year**, commencing from the date of their election at the Annual General Meeting (AGM) until the next AGM.

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- Office bearers shall be **eligible for re-election** for any number of consecutive terms, subject to the rules of the Sabha and the affiliated Samaj.

(e) Transfer of Responsibilities

- Immediately after the AGM, the outgoing committee of an affiliated Arya Samaj shall transfer **all funds, assets, receipts, receipt books, cash, and inventory** to the incoming committee, but no later than 5 days of the AGM date.
 - In the event of **withdrawal or termination** of any affiliated Samaj, **all funds, assets, receipts, cash, correspondence, inventory, and belongings shall remain the property of the Sabha and must be returned within five (5) days of withdrawal or termination.**
-

26. Functions of the Committee

From the end of each **Annual General Meeting** until the end of the next, the **Society** shall be managed by, or under the direction or supervision of, the **Society Committee**, in accordance with the Incorporated Societies Act 2022, any Regulations made under that **Act**, and this **Constitution**.

27. Powers of the Committee

The **Committee** has all the powers necessary for managing and for directing and supervising the management of the operation and affairs of the **Society**, subject to such modifications, exceptions, or limitations as are contained in the **Act** or in this **Constitution**.

28. Sub-Committee/s

The **Committee** may appoint sub-committees consisting of such persons (whether or not **Members** of the **Society**) and for such purposes as it thinks fit. Unless otherwise resolved by the **Committee**—

- The quorum of every sub-committee is half the members of the sub-committee but not less than 2,

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- no sub-committee shall have power to co-opt additional members,
- a sub-committee must not commit the **Society** to any financial expenditure or commitment without express authority from the **Committee**, and
- A sub-committee must not further delegate any of its powers.

29. Executive Committee - Composition and Eligibility

- The Executive Committee shall consist of the Office Bearers of the Sabha.
- No person shall be elected or shall remain a member of the Executive Committee if he/she:
 - Becomes of unsound mind.
 - Is guilty of conduct which, in the opinion of the Sabha, renders him/her unfit as a member.
 - Is absent from two (2) consecutive meetings of the Executive Committee without reasonable cause.
 - Has been removed by the Arya Samaj that nominated him/her as a representative to the Executive Committee.
 - Has a receiving order made against him/her by a competent Court under the Insolvency Act 1967 (Bankruptcy Act), while such order remains current.
 - Has been adjudged bankrupt.

30. Executive Committee - Authority

The management of the affairs of the Sabha shall be vested in the Executive Committee, subject always to the Constitution and resolutions passed at General Meetings.

31. Executive Committee - Meetings and Quorum

(Also refer to Clause 20, 21, 22 & 61 of this Constitution)

- The Executive Committee of **the Sabha** shall meet **at least once every four (4) months**. Meetings shall be called by the General Secretary on the instruction of the National President, specifying date, time, and place.
- The Executive Committee of **the Affiliated Samaj** shall meet **at least once every six (6) months**. Meetings shall be called by the Secretary on the instruction of the President, specifying date, time, and place.

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- c. The first meeting of the Executive Committee shall be held as soon as practicable after the Annual General Meeting.
- d. In all other cases, at least **fourteen (14) clear days' notice** shall be given for the **Sabha** Executive Committee meetings, and **seven (7) clear days' notice** shall be given for the **Samaj** Executive Committee meetings
- e. The quorum for any Executive Committee meeting shall be fifty percent (50%) of its members.
- f. If after one (1) hour from the appointed time a quorum is not present, the meeting shall stand adjourned to a date within two (2) weeks.
-

32. Executive Committee - Special Meetings

A special meeting of the Executive Committee may be convened:

- a. By resolution of the Executive Committee at an ordinary meeting; or
- b. Upon requisition signed by not less than five (5) Executive Committee members; or
- c. By the National President, if deemed necessary.
-

33. POWERS of the Executive Committee

The Executive Committee shall have the power to:

- a. Direct and manage all affairs and business of the Sabha in accordance with this Constitution.
- b. Make, alter, and repeal rules, provided such rules are not inconsistent with the Constitution.
- c. Borrow money in the name of the Sabha (subject to approval of the Annual or Special General Meeting) and create security or charges to secure loans. Any such borrowing and security arrangements must be made **in consultation and agreement with the Trustees**, who hold the property of the Sabha in trust.
- d. Make donations for charitable or deserving causes made **in consultation and agreement with the Trustees**, who hold the property of the Sabha in trust.
- e. Suspend any member of the Executive Committee, any sub-committee, or member of an affiliated Samaj for conduct contrary to the Constitution or for gross misconduct, provided that written reasons for suspension are supplied within fourteen (14) days.
- f. Appoint interim officer(s) to carry out duties of any suspended member until the next AGM or SGM.

- g. Approve remuneration to employees of the Sabha as necessary, provided always that:
- No member of the Sabha shall determine or materially influence income, benefit, or advantage payable to themselves.
 - Such member(s) shall not participate in any deliberations or decisions affecting their remuneration.
- h. Appoint sub-committees as required for special projects
- i. Prachaar Committee – for propagation of the Vedic Religion.
 - ii. Purohit Committee – for training purohits.
 - iii. Mahila Mandal – for duties assigned by the Executive Committee.
 - iv. Finance and Planning Committee – to administer Sabha’s funds and plan development of Sabha properties.
 - v. Audit Committee.
- i. Define the powers of sub-committees and personnel under Clause 38(h).
- j. Appoint legal advisor(s).
- k. Fill vacancies in the Managing Committee or other sub-committees as required.

34. General Matters – Committees

The **Committee** and any sub-committee may act by resolution approved during a conference call using audio and/or audio-visual technology or through a written ballot conducted by email, electronic voting system, or post, and any such resolution shall be recorded in the minutes of the next **Committee** or sub-committee meeting.

Other than as prescribed by the **Act** or this **Constitution**, the **Sabha Committee** may regulate its proceedings as it thinks fit.

35. Committee Meeting Procedure

(Please refer to clause 61 for Social Media use)

The quorum for Committee meetings is at least 50% of the number of members of the Committee.

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A meeting of the **Committee** may be held either—

- a. by several of the members of the **Committee** who constitute a quorum, being assembled together at the place, date and time appointed for the meeting; and/or
- b. by means of audio, or audio and visual communication by which all members of the **Committee** participate and constituting a quorum can simultaneously hear each other throughout the meeting.
- c. A resolution of the **Committee** is passed at any meeting of the **Committee** if a majority of the votes cast on it are in favour of the resolution. Every **Officer** on the **Committee** shall have one vote.
- d. In the absence of the President, the Vice President shall chair the meeting. If the President and the Vice President are both not available, then the members of the **Committee** shall elect one of their number as chairperson of the **Committee**.
- e. If at a meeting of the Sub Committee, the chairperson is not present, the members of the **Committee** present may choose one of their number to be chairperson of the meeting.
- f. The chairperson does have a casting vote in the event of a tied vote on any resolution of the **Committee**.
- g. Except as otherwise provided in this **Constitution**, the **Committee** may regulate its own procedure.

36. Committee Meeting Frequency

A. Sabha

The Sabha **Committee** shall meet at least every 4 months, at such times and places and in such manner (including by audio, audio and visual, or electronic communication) as it may determine and otherwise where and as convened by the **Chairperson** or **Secretary**.

The **Secretary**, or other **Committee** member nominated by the **Committee**, shall give to all **Committee** members not less than 14 Days' notice of **Committee** meetings, but in cases of urgency a shorter period of notice shall suffice.

B. Samaj

The Samaj **Committee** shall meet at least every 6 months, at such times and places and in such manner (including by audio, audio and visual, or electronic communication) as it may determine and otherwise where and as convened by the **Chairperson** or **Secretary**.

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The **Secretary**, or other **Committee** member nominated by the **Committee**, shall give to all **Committee** members not less than 7 Days' notice of **Committee** meetings, but in cases of urgency a shorter period of notice shall suffice.

37. Qualification of Officers – Sabha & Samaj

(Please refer to Appendices – Schedule "I")

A. Prior to election or appointment as an Officer a person must —

- consent in writing to be an **Officer**, and
- certify in writing that they are not disqualified from being elected or appointed as an **Officer** either by this **Constitution** or the **Act**.

Note that only a natural person may be an **Officer**, and each certificate shall be retained in the **Samaj's** and **Society's** records.

B. Every Officer must be a natural person who —

- has consented in writing to be an officer of the **Society**, and
- certifies that they are not disqualified from being elected or appointed or otherwise holding office as an **Officer** of the **Society**.

Officers must not be disqualified under section 47(3) of the **Act** or section 36B of the Charities Act 2005 from being appointed or holding office as an **Officer** of the **Society**, namely —

- a. a person who is under 18 years of age
- b. a person who is an undischarged bankrupt
- c. a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013, or the Takeovers Act 1993, or any other similar legislation
- d. A person who is disqualified from being a member of the governing body of a charitable entity under the Charities Act 2005
- e. a person who has been convicted of any of the following, and has been sentenced for the offence, within the last 7 years —
 - i. an offence under subpart 6 of Part 4 of the **Act**

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- ii. a crime involving dishonesty (within the meaning of section 2(1) of the Crimes Act 1961)
 - iii. an offence under section 143B of the Tax Administration Act 1994
 - iv. an offence, in a country other than New Zealand, that is substantially similar to an offence specified in subparagraphs (i) to (iii)
 - v. a money laundering offence or an offence relating to the financing of terrorism, whether in New Zealand or elsewhere
- f. a person subject to:
- i. a banning order under subpart 7 of Part 4 of the **Act**, or
 - ii. an order under section 108 of the Credit Contracts and Consumer Finance Act 2003, or
 - iii. a forfeiture order under the Criminal Proceeds (Recovery) Act 2009, or
 - iv. a property order made under the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of that Act.
- g. a person who is subject to an order that is substantially similar to an order referred to in paragraph (f) under a law of a country, State, or territory outside New Zealand that is a country, State, or territory prescribed by the regulations (if any) of the **Act**.

38. Officer's Duties

At all times each **Officer**:

- a. shall act in good faith and in what he or she believes to be the best interests of the Samaj and/or Sabha/**Society**,
- b. must exercise all powers for a proper purpose,
- c. must not act, or agree to the **Society** acting, in a manner that contravenes the **Act** or this **Constitution**,
- d. when exercising powers or performing duties as an **Officer**, must exercise the care and diligence that a reasonable person with the same responsibilities would exercise in the same circumstances considering, but without limitation:
 - o the nature of the **Society**,

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- o the nature of the decision, and
 - o the position of the **Officer** and the nature of the responsibilities undertaken by him or her
- e. must not agree to the activities of the **Society** being carried on in a manner likely to create a substantial risk of serious loss to the **Society** or to the **Society's** creditors, or cause or allow the activities of the **Society** to be carried on in a manner likely to create a substantial risk of serious loss to the **Society** or to the **Society's** creditors, and
- f. must not agree to the **Society** incurring an obligation unless he or she believes at that time on reasonable grounds that the **Society** will be able to perform the obligation when it is required to do so.

39. Election or Appointment of Officers

The election of **Officers** shall be conducted as follows.

- a. **Officers** shall be elected during **Annual General Meetings**. However, if a vacancy in the position of any **Officer** occurs between **Annual General Meetings**, that vacancy shall be filled by resolution of the Executive **Committee** (and any such appointee must, before appointment, supply a signed consent to appointment and a certificate that the nominee is not disqualified from being appointed or holding office as a **Officer** (as described in the 'Qualification of Officers' rule above). Any such appointment must be ratified at the next **Annual General Meeting**.
- b. A candidate's written nomination, accompanied by the written consent of the nominee with a certificate that the nominee is not disqualified from being appointed or holding office as a **Officer** (as described in the 'Qualification of Officers' rule above) shall be received by the **Society** before the start of the **Annual General Meeting**. If there are insufficient valid nominations received, further nominations may be received from the floor at the **Annual General Meeting**.
- c. Votes shall be cast in such a manner as the person chairing the meeting determines. In the event of any vote being tied, the tie shall be resolved by the incoming **Committee** (excluding those in respect of whom the votes are tied).
- d. Two **Members** (who are not nominees) or non-**Members** appointed by the **Chairperson** shall act as scrutineers for the counting of the votes and destruction of any voting papers.





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e. The failure for any reason of any financial **Member** to receive such **Notice** of the general meeting shall not invalidate the election.

f. In addition to **Officers** elected under the foregoing provisions of this rule, the **Committee** may appoint other **Officers** for a specific purpose, or for a limited period, or generally until the next **Annual General Meeting**. Unless otherwise specified by the **Committee** any person so appointed shall have full speaking and voting rights as an **Officer** of the **Society**. Any such appointee must, before appointment, supply a signed consent to appointment and a certificate that the nominee is not disqualified from being appointed or holding office as an **Officer** (as described in the 'Qualification of Officers' rule above).

40. Term – Sabha & Samaj

The term of office for all **Officers** (except Trustees – refer 79 of this Constitution) elected to the **Committee** shall be One (1) year, expiring at the end of the **Annual General Meeting** in the year corresponding with the last year of each **Officer's** term of office.

41. Removal of Officers

An **Officer** shall be removed as an **Officer** by resolution of the Sabha Executive **Committee** (Society) where in the opinion of the Sabha **Committee/Society** –

- The **Officer** elected to the **Committee** has been absent from 2 committee meetings without leave of absence from the **Committee**.
- The **Officer** has brought the **Society** into disrepute.
- The **Officer** has failed to disclose a conflict of interest.
- The Sabha **Committee**, on advice from an affiliated **Samaj**, passes a vote of no confidence in the **Officer**.



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42. Ceasing to Hold Office

An **Officer** ceases to hold office when they resign (by notice in writing to the **Committee**), are removed, die, or otherwise vacate office in accordance with section 50(1) of the **Act**.

Each **Officer** shall within **14 Days** of submitting a resignation or ceasing to hold office, deliver to the **Committee** all books, receipt books, minutes, correspondence, papers, assets that belong to Samaj/Sabha, and other property of the Samaj/**Society** held by such former **Officer**.

43. Conflict/s of Interest

An **Officer** or member of a sub-committee who is an **Interested Member** in respect of any **Matter** being considered by the **Society**, must disclose details of the nature and extent of the interest (including any monetary value of the interest if it can be quantified)—

- a. to the **Committee** and or sub-committee, and
- b. in an **Interests Register** kept by the **Committee**.

Disclosure must be made as soon as practicable after the **Officer** or member of a sub-committee becomes aware that they are interested in the **Matter**.

An **Officer** or member of a sub-committee who is an **Interested Member** regarding a **Matter**—

- a. must not vote or take part in the decision of the **Committee** and/or sub-committee relating to the **Matter** unless all members of the **Committee** who are not interested in the **Matter** consent; and
- b. must not sign any document relating to the entry into a transaction or the initiation of the **Matter** unless all members of the **Committee** who are not interested in the **Matter** consent; but
- c. may take part in any discussion of the **Committee** and/or sub-committee relating to the **Matter** and be present at the time of the decision of the **Committee** and/or sub-committee (unless the **Committee** and/or sub-committee decides otherwise).

However, an **Officer** or member of a sub-committee who is prevented from voting on a **Matter** may still be counted for the purpose of determining whether there is a quorum at any meeting at which the **Matter** is considered.

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Where 50 per cent or more of **Officers** are prevented from voting on a **Matter** because they are interested in that **Matter**, a **Special General Meeting** must be called to consider and determine the **Matter**, unless all non-interested **Officers** agree otherwise.

Where 50 per cent or more of the members of a sub-committee are prevented from voting on a **Matter** because they are interested in that **Matter**, the **Committee** shall consider and determine the **Matter**.

44. Interest Register - refer SCHEDULE "G" – Interest Register

(Maintained under section 62 of the Incorporated Societies Act 2022)

1. Purpose

The Interest Register records any interest disclosed by a Committee Member in accordance with the Incorporated Societies Act 2022. It ensures transparency, manages conflicts of interest, and promotes good governance within the Society.

2. Definitions

- **Interest** includes any situation where a Committee Member may derive a financial benefit, personal advantage, or where their duties to another person or entity may conflict with their duties to the Society.
- Examples include:
 - Being a shareholder, director, or trustee of an organisation dealing with the Society.
 - Receiving payments from the Society other than as a member.
 - Having a close family member involved in contracts with the Society.
 - Any other situation that may reasonably be perceived as a conflict of interest.

3. Responsibilities

- Each Committee Member must disclose any interest as soon as practicable after becoming aware of it.
- Disclosures must be made to the Committee and recorded in this Register.
- The Register must be available for inspection by members of the Society (upon request).



4. Interest Register – Disclosure Table – (Refer Schedule “G” in the Appendices)

a. Date of Disclosure:

b. Name of Committee Member:

c. Nature of interest (e.g. Director of ABC Ltd, Supplier to Samaj or Sabha, OR Family Member employed by Samaj or Sabha)

d. Transaction (e.g. Supply Contract for event, OR Employment contract for employee)

e. Committee Action: (e.g. Member declared Interest + abstained = conflict managed)

f. Date resolved/Closed:

g. Additional Notes:

5. Maintenance of Register - please Refer to schedule “G” in the Appendices

- The **General Secretary** (or designated officer) is responsible for updating and keeping the Master Register.
- The Register must be presented at each Committee Meeting for confirmation and updating.
- **All Affiliated Samaj** must maintain a similar Register and Submit the Samaj Interest Register to the General Secretary before 31 May of each year. **The Interest Register should also form part of the Samaj AGM.**
- Entries must remain on record for at least **7 years** from the date of disclosure.

45. Access to Information for Members

A **Member** may at any time make a written request to the **Society** for information held by the **Society**.

The request must specify the information sought in sufficient detail to enable the information to be identified.

The **Society** must, within a reasonable time after receiving a request —

a. provide the information, or

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- b. agree to provide the information within a specified period, or
- c. agree to provide the information within a specified period if the **Member** pays a reasonable charge to the **Society** (which must be specified and explained) to meet the cost of providing the information, or
- d. refuse to provide the information, specifying the reasons for the refusal.

Without limiting the reasons for which the **Society** may refuse to provide the information, the **Society** may refuse to provide the information if —

- a. withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons, or
- b. the disclosure of the information would, or would be likely to, prejudice the commercial position of the **Society** or of any of its **Members**, or
- c. the disclosure of the information would, or would be likely to, prejudice the financial or commercial position of any other person, whether or not that person supplied the information to the **Society**, or
- d. the information is not relevant to the operation or affairs of the society, or
- e. withholding the information is necessary to maintain legal professional privilege, or
- f. the disclosure of the information would, or would be likely to, breach an enactment, or
- g. the burden to the **Society** in responding to the request is substantially disproportionate to any benefit that the **Member** (or any other person) will or may receive from the disclosure of the information, or
- h. the request for the information is frivolous or vexatious, or
- i. the request seeks information about a dispute or complaint which is or has been the subject of the procedures for resolving such matters under this **Constitution** and the **Act**.

If the **Society** requires the **Member** to pay a charge for the information, the **Member** may withdraw the request, and must be treated as having done so unless, within 10 **Working Days** after receiving notification of the charge, the **Member** informs the **Society** —

- a. that the **Member** will pay the charge; or

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b. that the **Member** considers the charge to be unreasonable.

Nothing in this rule limits Information Privacy Principle 6 of the Privacy Act 2020 relating to access to personal information.

46. Control & Management

The funds and property of the **Society** shall be—

- controlled, invested and disposed of by the **Committee in liaison with the Trustees**, subject to this **Constitution**, and
- devoted solely to the promotion of the purposes of the **Society**.

The Trustees and the Sabha Committee shall maintain bank accounts in the name of the **Society**.

All money received on account of the **Society** shall be banked within Seven (7) Days of receipt.

All accounts paid or for payment shall be submitted to the **Committee** for approval of payment.

The **Committee** must ensure that there are kept at all times accounting records that—

- a. correctly records the transactions of the **Society**, and
- b. allows the **Society** to produce financial statements that comply with the requirements of the **Act**, and
- c. would enable the financial statements to be readily and properly audited (if required under any legislation or the **Society's Constitution**).

The **Committee** must establish and maintain a satisfactory system of control of the **Society's** accounting records.

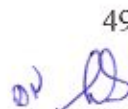
The accounting records must be kept in written form or in a form or manner that is easily accessible and convertible into written form. And the accounting records must be kept for the current accounting period and for the last 7 completed accounting periods of the **Society**.

47. Balance Date

The **Society's** financial year shall commence on 1ST April of each year and end on 31ST





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March (the latter being the Society's Balance Date)

48. Meanings of Dispute & Complaint

A. A dispute is a disagreement or conflict involving the **Society** and/or its **Members** in relation to specific allegations set out below.

The disagreement or conflict may be between any of the following persons—

- a. 2 or more **Members**
- b. 1 or more **Members** and the **Society**
- c. 1 or more **Members** and 1 or more **Officers**
- d. 2 or more **Officers**
- e. 1 or more **Officers** and the **Society**
- f. 1 or more **Members** or **Officers** and the **Society**.
- g. 1 or more Affiliated Samaj and the Society
- h. 1 or more Affiliated Samajs

B. The disagreement or conflict relates to any of the following allegations—

- a. a **Member**, or **Affiliated Samaj**, or an **Officer** has engaged in misconduct
- b. a **Member** or an **Officer** has breached, or is likely to breach, a duty under the **Society's Constitution** or bylaws or the **Act**
- c. the Samaj or **Society** has breached, or is likely to breach, a duty under the **Society's Constitution** or bylaws or the **Act**
- d. a **Member's** rights or interests as a **Member** have been damaged or **Member's** rights or interests generally have been damaged.

C. A **Member** or an **Officer** may make a complaint by giving to the **Committee** (or a complaints subcommittee) a notice in writing that—

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- a. states that the **Member** or **Officer** is starting a procedure for resolving a dispute in accordance with the **Society's Constitution**; and
- b. sets out the allegation(s) to which the dispute relates and whom the allegation or allegations is or are against; and
- c. sets out any other information or allegations reasonably required by the **Society**.

D. The Society may file a complaint against an Affiliated Samaj, **Member**, or **Officer** by providing them with written notice that—

- a. states that the **Society** is starting a procedure for resolving a dispute in accordance with the **Society's Constitution**; and
- b. sets out the allegation to which the dispute relates.

E. a. The information setting out the allegations must be sufficiently detailed to ensure that a person against whom an allegation or allegations is made is fairly advised of the allegation or allegations concerning them, with sufficient details given to enable that person to prepare a response.

b. A complaint may be made in any other reasonable manner permitted by the **Society's Constitution**.

c. All Affiliated Samajs, its **Members** (including the **Committee**) are obliged to cooperate to resolve disputes efficiently, fairly, and with minimum disruption to the Society's activities.

d. The complainant raising a dispute, and the **Committee**, must consider and discuss whether a dispute may best be resolved through informal discussions, mediation, arbitration, or a tikanga-based practice. Where mediation or arbitration is agreed on, the parties will sign a suitable mediation or arbitration agreement.

49. How Complaint is made

1. A **Member** or an **Officer** may make a complaint by giving to the **Committee** (or a complaints subcommittee member) a notice in writing that—

- a. states that the **Member** or **Officer** is starting a procedure for resolving a dispute in accordance with the **Society's Constitution**; and

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- b. sets out the allegation or allegations to which the dispute relates and whom the allegation is against; and
 - c. sets out any other information reasonably required by the **Society**.
2. The Society may make a **complaint** involving an allegation or allegations against a **Member** or an **Officer** OR an **Affiliated Samaj**, by giving to the **Member** or **Officer** or **Affiliated Samaj** a notice in writing that—
- a. states that the **Society** is starting a procedure for resolving a dispute in accordance with the **Society's Constitution**; and
 - b. sets out the allegation to which the dispute relates.
3. The information given under subclause (1b.) or (2b.) must be sufficient to ensure that a person against whom an allegation is made is fairly advised of the allegation or allegations concerning them, with sufficient details given to enable that person to prepare a response.
4. A complaint may be made in any other reasonable manner permitted by the **Society's Constitution**.

50. Person who makes Complaint has a right to be heard

1. A **Member**, or an **affiliated Samaj**, or an **Officer** who makes a complaint, has a right to be heard before the complaint is resolved or any outcome is determined.
2. If the **Society** makes a complaint—
- a. Society has a right to be heard before the complaint is resolved or any outcome is determined; and
 - b. an **Officer** may exercise that right on behalf of the **Society**.
3. Without limiting the manner in which the **Member**, **Samaj**, **Officer**, or **Society** may be given the right to be heard, they must be taken to have been given the right if—
- c. they have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - d. An oral hearing is held if the decision maker considers that an oral hearing is needed to ensure adequate hearing; and
 - e. an oral hearing (if any) is held before the decision maker; and

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- f. the **Member's, Samaj/s, Officer's, or Society's** written or verbal statement or submissions (if any) are considered by the decision maker.
-

51. Person who is subject of Complaint has right to be heard

1. This clause applies if a complaint involves an allegation that a **Member, an Officer, or the Society** (the 'respondent')
 - a. has engaged in misconduct; or
 - b. has breached, or is likely to breach, a duty under the **Society's Constitution** or bylaws or this **Act**; or
 - c. has damaged the rights or interests of a **Member** or the rights or interests of **Members** generally.
 2. The respondent has a right to be heard before the complaint is resolved or any outcome is determined.
 3. If the respondent is the **Society**, an **Officer** may exercise the right on behalf of the **Society**.
 4. Without limiting the manner in which a respondent may be given the right to be heard, a respondent must be taken to have been given the right if—
 - a. The respondent is fairly advised of all allegations concerning the respondent, with sufficient details and time given to enable the respondent to prepare a response; and
 - b. The respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - c. An oral hearing is held if the decision maker considers that an oral hearing is needed to ensure adequate hearing; and
 - d. An oral hearing (if any) is held before the decision maker; and
 - e. The respondent's written statement or submissions (if any) are considered by the decision maker.
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52. Investigating & Determining Dispute

1. Society must, as soon as is reasonably practicable after receiving or becoming aware of a complaint made in accordance with its **Constitution**, ensure that the dispute is investigated and determined.
 2. Disputes must be dealt with under the **Constitution** in a fair, efficient, and effective manner and in accordance with the provisions of the **Act**.
-

53. Society may decide NOT to proceed further with Complaint

Despite the 'Investigating and determining dispute' rule above, the **Society** may decide not to proceed further with a complaint if—

- a. the complaint is considered to be trivial; or
 - b. The complaint does not appear to disclose or involve any allegation of the following kind:
 - i. that a **Member, Samaj**, or an **Officer** has engaged in material misconduct:
 - ii. that a **Member, Samaj**, an **Officer**, or the **Society** has materially breached, or is likely to materially breach, a duty under the **Society's Constitution** or bylaws or the **Act**:
 - iii. that a **Member's** rights or interests or **Members'** rights or interests generally have been materially damaged:
 - c. the complaint appears to be without foundation or there is no apparent evidence to support it; or
 - d. the person who makes the complaint has an insignificant interest in the matter; or
 - e. the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the **Constitution**; or
 - f. there has been an undue delay in making the complaint.
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54. Society may Refer Complaint

1. Society may refer a complaint to—
 - a. a subcommittee or an external person to investigate and report; or

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- b. a subcommittee, an arbitral tribunal, or an external person to investigate and make a decision.
2. Society may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example, mediation, facilitation, or a tikanga-based practice)

55. Decision Makers

A person may not act as a decision maker in relation to a complaint if 2 or more members of the **Committee** or a complaints subcommittee consider that there are reasonable grounds to believe that the person may not be—

- a. impartial; or
- b. able to consider the matter without a predetermined view.

56. Resolving to Apply for Removal from the Register

The **Society** may be removed from the Register of Incorporated Societies in accordance with the provisions of Part 5 of the **Act**.

The **Committee** shall give 60 **Days** written **Notice** to all **Members** of the proposed resolution to remove the **Society** from the Register of Incorporated Societies.

The **Committee** shall also give written **Notice** to all **Members** of the **General Meeting** at which any such proposed resolution is to be considered.

The **Notice** shall include all information as required by section 228(4) of the **Act**.

Any resolution to remove the **Society** from the Register of Incorporated Societies must be passed by a two-thirds (66.67%) majority of all **Members** present and voting.

57. Liquidation or Removal – Surplus Assets

A. Winding Up and Distribution of Surplus Assets

In the event that the Society (Sabha) is voluntarily wound up, liquidated, or removed from the Register of Incorporated Societies, no distribution shall be made to any Member. After settlement of all debts and liabilities, any remaining property of the Society must be applied in one of the following ways:

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1. Used to further a charitable purpose or purposes as defined in section 5(1) of the Charities Act 2005; or
2. Given or transferred to another organisation for a charitable purpose or purposes as defined in section 5(1) of the Charities Act 2005; or
3. Given or transferred to another organisation with similar charitable purposes to those of the Society, as defined in section 5(1) of the Charities Act 2005.

B. Decision on Distribution

The method of distribution shall be determined by the Members of the Society as follows:

- a. A motion must be passed at a General Meeting (Annual or Special) by not less than two-thirds (66.67%) majority of valid votes cast.
- b. That motion must be reconfirmed at a subsequent General Meeting, held not earlier than 30 days after the first meeting, by a simple majority of Members present and voting.

C. Effect of Reconfirmation

- a. If the motion is reconfirmed, the Society shall appoint one or two liquidators to oversee the winding up and disposal of assets in accordance with the resolution.
- b. If the motion is not reconfirmed, it lapses, and the matter must be reconsidered by the Members at a later General Meeting.

D. Default Distribution

If the Members are unable to reach agreement under the above process, the remaining assets shall be disposed of as directed by the High Court of New Zealand.

58. Amending This Constitution

(Also refer to Clause 84 of this Constitution – for Minor Amendments)

Incorporated Society with Charitable Status

A. All amendments must be made in accordance with this **Constitution**. Any minor or technical amendments shall be notified to **Members** as outlined in section 31 of the **Act**. The **Society** may amend or replace this **Constitution** at a **General Meeting** by a resolution passed by a two-thirds (66.67%) majority of those **Members** present and voting.

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That amendment could be approved by a resolution passed in lieu of a meeting but only if allowed by this **Constitution**.

Any proposed resolution to amend or replace this **Constitution** shall be signed by at least 25% (per cent) of eligible **Members** of an affiliated Samaj and given in writing to the **Sabha Committee** at least 60 **Days** before the **General Meeting** at which the resolution is to be considered and accompanied by a written explanation of the reasons for the proposal.

At least 30 **Days** before the **General Meeting** at which any amendment is to be considered the **Sabha Committee** shall give to all **Delegates** notice of the proposed resolution, the reasons for the proposal, and any recommendations the **Committee** has.

When an amendment is approved by a **General Meeting** it shall be notified to the **Registrar of Incorporated Societies** in the form and manner specified in the **Act** for registration and shall take effect from the date of registration.

If the society is registered as a charity under the Charities Act 2005, which the Society is, the amendment **must also be notified to Charities Services** as required by section 40 of that Act.

Therefore, **the approved amendment must be notified to (Both) Registrar of Incorporated Societies and Charities Services** as required by section 40 of that Act.

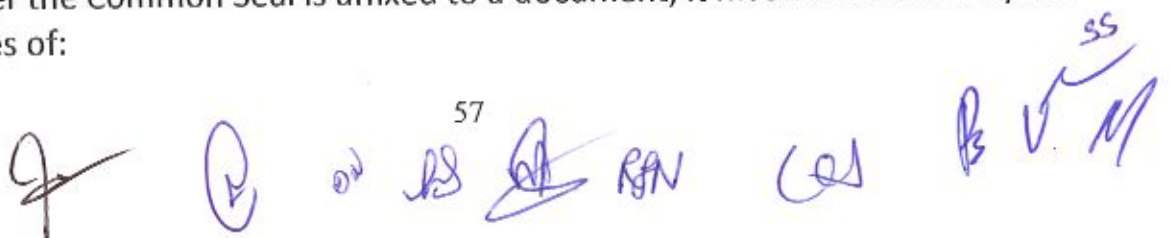
59. Bylaws

The **Committee** from time to time may make and amend bylaws, and policies for the conduct and control of **Society** activities and codes of conduct applicable to **Members**, but no such bylaws, policies or codes of conduct applicable to **Members** shall be inconsistent with this **Constitution**, the **Act**, regulations made under the **Act**, or any other legislation.

60. Common Seal

1. The Society shall have a Common Seal, which must be kept in the custody of the General Secretary of the Sabha.
2. The Common Seal may be affixed to any document only by resolution of the Sabha Committee.
3. Whenever the Common Seal is affixed to a document, it must be attested by the signatures of:

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the National President, and any two (2) of the following: Sabha Vice-President, General Secretary, or General Treasurer.

61. Use of Social Media and Electronic Platforms for Meetings

1. Authorisation

The Sabha may, at the discretion of the Committee, conduct any General Meeting, Special General Meeting, Committee Meeting, or Sub Committee Meeting in whole or in part by the use of audio, audio visual, other social media or other electronic communication platforms, provided that the chosen platform enables all Members participating to—

- a. hear the proceedings, and be heard by all other participants, and
- b. exercise their right to attend, speak, vote (where eligible).

2. Notice

When notice of a meeting is given, the Committee must specify whether the meeting will be—

- a. in person, then venue of such meeting
- b. hybrid (both in person and online), or
- c. fully online.

3. Verification of Membership

Members attending electronically must identify themselves in a manner that allows the Committee to confirm their financial membership status. Only verified financial Members may attend, speak, and vote.

4. Voting

- a. Voting conducted through an authorised electronic platform shall be deemed valid and equivalent to voting in person.
- b. The Committee must ensure that any electronic voting process is secure, accurate, and records votes clearly.
- c. Proxy voting remains subject to the provisions of this Constitution.

5. Technical Difficulties

- a. A meeting shall not be invalidated solely because one or more Members experience technical issues and are unable to participate, provided that a quorum is otherwise present.
- b. The Committee shall take reasonable steps to minimise disruption caused by technical difficulties.

6. Confidentiality and Conduct

- a. No Member shall record, reproduce, or broadcast any part of the meeting proceedings on social media or otherwise without the prior written consent of the

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Committee.

b. Members participating electronically are subject to the same standards of conduct and decorum as Members attending in person

62. Motions

a. Right to Move Motions

Any Member may propose a motion through their affiliated Samaj.

b. Approval at Samaj Level

(i). A motion must first be considered by the Executive Committee of the Member's Samaj and passed by a simple majority.

(ii). The motion must then be presented to and adopted by the Samaj Annual General Meeting (AGM).

c. Submission to Sabha

(i). Once adopted by the Samaj AGM, the motion must be submitted in writing to the General Secretary of the Sabha no later than **30 May** in the relevant year.

(ii). The General Secretary shall place the motion before the Sabha Executive Committee for review.

D. Review by Sabha Executive Committee

(i). The Sabha Executive Committee may, by a simple majority, determine that the motion is unsuitable. If so, the General Secretary shall notify the originating Samaj, and the motion shall be deemed defeated.

(ii). If the motion is accepted by the Sabha Executive Committee, it shall be placed on the agenda for the Sabha Annual General Meeting.

e. Deliberation at Sabha AGM

The Sabha AGM shall deliberate upon the motion and may accept or adopt it in accordance with the rules of voting set out in this Constitution.

63. Filling of Vacancies

A. A vacancy on the Executive Committee of the Sabha shall occur in the event of—

a. the death of a Member,

b. the resignation of a Member,

c. a Member ceasing to remain an Arya Samaj Member, or

d. the disqualification or removal of a Member under this Constitution.









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B. Where such a vacancy arises, the Sabha Executive Committee shall have the right to appoint another representative from the same affiliated Samaj, provided that—
a. such representative is a duly nominated delegate of that Samaj, and
b. the appointment is made to hold office only until the next Annual General Meeting of the Sabha, at which time the vacancy shall be filled in the normal manner.

C Fallback Provision

If the affiliated Samaj concerned is unable or unwilling to nominate a replacement delegate within 30 days, the Executive Committee may—
a. resolve that the position shall remain vacant until the next Annual General Meeting, or
b. co-opt a qualified financial Member of another Samaj to serve in the vacancy until the next Annual General Meeting, provided that the co-opted Member shall not hold voting rights on matters affecting the representation of affiliated Samajs.

64. Unfilled & Temporary Vacancies

A. Unfilled Vacancies at AGM

If, at an Annual General Meeting, any vacancy in the office bearers or in the position of auditor is not filled by election, or if any such vacancy arises after the Annual General Meeting, the Executive Committee shall appoint a qualified Member to fill that vacancy.

B. Term of Appointment

Any person appointed to fill a vacancy under this clause shall hold office only for the balance of the term that the vacating Member would have served had the vacancy not occurred.

C. Temporary Absence

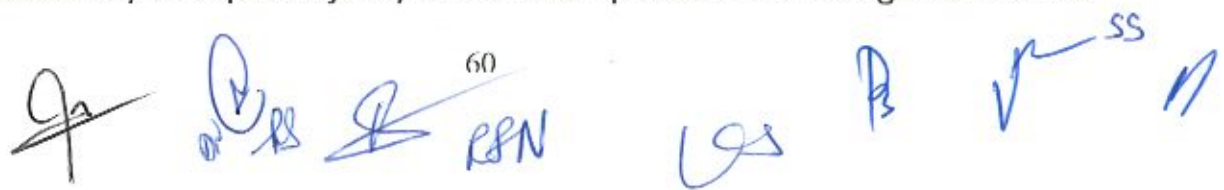
If any office bearer or Executive Committee Member is temporarily absent from New Zealand during his or her term of office, the Executive Committee may appoint another Member to act in that role until the office bearer or Executive Member returns.

D. Resignation, Retirement, or Disqualification

In the event of the resignation, retirement, or disqualification of any Executive Committee Member during his or her term of office, the Executive Committee may appoint another Member of the Executive Committee to act in that position until the next Annual General Meeting or Special General Meeting.

65. Termination or Suspension of Affiliation

A. The affiliation of any Arya Samaj may be **cancelled, or its affiliation suspended**, by resolution passed by a simple majority of Members present and voting at an Annual

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General Meeting or Special General Meeting of the Sabha, on any of the following grounds—

- a. **Non-Payment of Fees** – if the affiliation fee remains unpaid and, after being duly notified by the Executive Committee, the Arya Samaj fails to provide a satisfactory response within thirty (30) days of such notification.
- b. **Breach of Constitution or Rules** – if the Arya Samaj acts contrary to this Constitution, or commits a breach of any rules, regulations, or resolutions of the Sabha.
- c. **Prejudicial Conduct** – if, in the opinion of the Sabha, any act, deed, or statement by the Arya Samaj is prejudicial to the interests of the Sabha or inconsistent with its aims and objectives as set out in this Constitution.
- d. **Dissolution** – if the Arya Samaj is dissolved.

B. Right to be Heard

Before any resolution to cancel or suspend affiliation is passed, the Arya Samaj concerned shall be given—

- a. written notice of the grounds for the proposed action, and
- b. a reasonable opportunity to provide a written explanation or to be heard at the meeting considering the matter.

C. Re-affiliation

- a. An application for re-affiliation shall be treated as a new application if the affiliation fee remains unpaid for one year or more.
- b. The Sabha may, at its discretion, impose such conditions as it deems appropriate before granting re-affiliation.

66. Receipting of Donations

A. Official Receipt Books

- a. All donations, given to the Samaj and Sabha, must be recorded in the official Receipt Books supplied by the Sabha.
- b. An official receipt shall be issued in the name of the donor for each donation received.

B. Payments for Services Provided

(a) Members of a Samaj and/or the Sabha may collect voluntary cash contributions for a specific purpose and/or Koha, including but not limited to payments or Koha towards a Caterer, Cook, Pracharak (Priest or one who propagates), or similar services, provided that—

- (i). the funds are collected strictly for the purposes and solely for the benefit of the Samaj or Sabha;

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- (ii). no financial benefit or gain accrues to the members themselves, and,
- (iii) All such funds collected must be paid as Koha and if there are any surplus these must be go to the Samaj or Sabha account, receipted as donation.

C. Donation Boxes

- a. Smaller donations received through a donation box shall be counted and totalled.
- b. The total amount shall be recorded in the Receipt Book under the entry "Donation Box."
- c. The count and certification must be conducted jointly and signed off by **two (2) authorised officers.**

D. Banking of Donations

All monies received must be deposited into the official bank account of the Samaj or Sabha within **seven (14) days** of receipt.

E. Improper Accounting

The use of any unauthorised receipt or receipt book, other than the official Receipt Books supplied by the Sabha, shall be deemed a deliberate act of **improper accounting and financial mismanagement**, and may be subject to **disciplinary action** under this Constitution.

67. Auditor

A. Appointment of Auditor

- a. The accounts of the Sabha, all affiliated Samajs, and any educational institutions under their control shall be audited annually by a Chartered Accountant, or a Registered Tax Agent, who is not a Member of the Sabha or any of its affiliated Samajs.
- b. Such Auditor shall be appointed annually by the Sabha at its Annual General Meeting
- c. By resolution of a majority at the Annual General Meeting or at a Special General Meeting, the Sabha may accept the audited accounts of any affiliated Samaj which does not control a school or commercial property, provided that—
 - (i) such accounts are audited by an Auditor or Tax Agent other than the Auditor appointed by the Sabha, and
 - (ii) the Auditor is either a Chartered Accountant registered with the Institute of Chartered Accountants of New Zealand or a Registered Tax Agent.
- d. Where the annual turnover (revenue) of an affiliated Samaj is less than Ten

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Thousand Dollars (\$10,000), the Sabha may appoint two Officers of the Sabha, who are conversant with Financial Accounts, to examine and **audit** the accounts of that Samaj. In such cases, the affiliated Samaj shall produce for audit its annual accounts, cashbook, all receipts issued during the year, all payment records, and any other relevant documents requested by the Sabha.

B. Core Duties and Responsibilities of the Auditor

The Auditor shall—


- a. **Verify Financial Records** – examine financial statements, accounting records, and related documents to ensure their accuracy and completeness;
- b. **Assess Internal Controls** – evaluate the adequacy of internal control systems and identify weaknesses or risks;
- c. **Ensure Regulatory Compliance** – confirm adherence to applicable laws, regulations, and accounting principles;
- d. **Provide an Independent Opinion** – express an objective opinion as to whether the financial statements present a true and fair view of the organization’s financial position;
- e. **Identify Risks and Inefficiencies** – report on discrepancies, irregularities, or weaknesses in financial systems and operations;
- f. **Report Findings and Recommendations** – prepare an audit report with findings and recommendations for improved financial practices and internal controls;
- g. **Prevent Fraud and Misrepresentation** – assist in safeguarding the Sabha and Samajs from fraud, mismanagement, or misuse of funds.

C. Powers of the Auditor

- a. The Auditor shall have authority to call to produce all books, records, accounts, minutes, payments, and documents relating to the financial affairs of the Sabha and of any or all of its affiliated Samajs.
- b. The annual Balance Sheet and Statement of Accounts plus the Consolidated Accounts of the Sabha, and all Samaj’s accounts with Revenue exceeding \$10,000, shall be audited by the Auditor, and, if found correct, certified in writing under the

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Auditor's hand before submission to the Annual General Meeting.

68. National President (Sabha) and (Samaj) President

A. Legal and Governance Duties

The National President and/or Samaj President shall—

- a. **Act in accordance with the law:** Uphold the principles of the **Incorporated Societies Act 2022** and the society's Constitution.
- b. **Act in good faith:** Always act in the best interests of the society, and not for personal benefit.
- c. **Exercise powers properly:** Ensure that any powers used are for a legitimate and intended purpose.
- d. **Exercise reasonable care and diligence:** Perform all duties and exercise powers with sufficient care, skill, and attention.
- e. **Comply with reporting requirements:**
 - (i) Ensure the society files annual financial statements and completes its annual return with the appropriate authorities in a timely manner.
 - (ii) Ensure the Samaj (President) files annual financial statements and completes its annual return with the Sabha in a timely manner and in terms of this constitution.

B. Leadership and Operational Duties

The National President and/or the Samaj President shall—

- a. **Lead the committee:** Set the overall annual agenda, help prioritize committee goals, and keep the committee focused on achieving the society's objectives.
- b. **Represent the society:** Act as the principal spokesperson and official representative in dealings with members, affiliated bodies, and external stakeholders.
- c. **Preside over meetings:** Chair committee and general meetings, ensuring that rules of procedure and the Constitution are followed.
- d. **Set vision and goals:** Work collaboratively with the committee to establish and



implement the society's strategic vision and annual objectives.

e. **Ensure proper planning and budgeting:** Oversee financial planning and resource allocation to align with the society's goals and the wishes of the members.

C. Accountability to Members

The National President and/or the Samaj President shall—

a. **Represent members' views:** Ensure the views and wishes of members are accurately conveyed and reflected in the society's decisions,

b. **Be approachable and accountable:** Maintain open communication with members and be accountable for the society's actions, decisions, and governance.

69. Vice President - Duties

A. Sabha Vice President/s

1. The Vice Presidents shall support the National President in carrying out the objectives of the Sabha and act as deputies to the President as required.
2. In the absence of the National President, one of the Vice Presidents, as determined by the Executive Committee (or by seniority if not otherwise specified), shall preside over meetings and undertake all the duties and responsibilities of the President.
3. If the office of National President becomes vacant through resignation, removal, incapacity, or death, one of the Vice Presidents, as determined by the Executive Committee, shall assume the role of **Acting National President** until the next Annual General Meeting or Special General Meeting, where the vacancy shall be formally filled.
4. The Vice Presidents shall assist in overseeing the work of the Executive Committee and sub-committees, providing guidance and leadership where required.
5. The Vice Presidents shall represent the Sabha in official functions and meetings as delegated by the National President or the Executive Committee.
6. The Vice Presidents shall ensure that proper communication and coordination are maintained between the affiliated Samajs and the Sabha.

B. Samaj Vice President

1. The Samaj Vice President, if applicable, shall assist the President of the Samaj in managing the Samaj's affairs.

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2. In the absence of the Samaj President, the Vice President shall assume the role of **Acting President** and undertake all the duties and responsibilities of the President.
3. If the office of Samaj President becomes vacant through resignation, removal, incapacity, or death, the Samaj Vice President shall assume the role of **Acting Samaj President** until the next Annual General Meeting or Special General Meeting, where the vacancy shall be formally filled. If the affiliated Samaj does not have an elected Vice-President, the Executive Committee of that Samaj may appoint an Acting President from within their committee.
4. The Samaj Vice President shall help oversee the functioning of the Executive Committee of the Samaj, and ensure decisions are implemented effectively.
5. The Samaj Vice President shall represent the Samaj in community activities and functions as delegated by the President or the Executive Committee.
6. The Samaj Vice President shall ensure that members' views and needs are communicated to the Samaj Executive Committee.

70. General Secretary & Samaj Secretary

A. Core Duties

- a. **Correspondence & Records** – The General Secretary and the Samaj Secretary shall keep all correspondence, the Master Register of Members (Clause 19 - includes date joined and left), Register of Delegates (Clause 19), Interests Register (refer Clause 44), and such other Registers and Records as may be directed by the Executive Committee. He/She shall distribute copies of all relevant correspondence, leaflets, books, publications, or letters of invitation to all affiliated Samajs to enable their participation in the affairs of the Sabha and Samaj.
- b. **Meeting Management** – The General Secretary/Secretary shall:
 - i. Prepare and circulate notices of meetings, agendas, and relevant materials consultation with the President;
 - ii. Keep a Minute Book and accurately record in it all deliberations and resolutions of the Annual General Meeting, Special General Meeting, or Executive Committee Meetings;
 - iii. Ensure that such minutes are presented at the next respective meeting, confirmed, and signed by the President.
- c. **Administrative Support** – The Secretary shall provide general administrative support to the Sabha, including:
 - i. Managing incoming and outgoing correspondence and acting as a central point of

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contact for inquiries;

ii. Maintaining and organizing records, documents, and databases to ensure accessibility and compliance with regulations;

iii. Performing clerical duties including management of office supplies, preparation of reports, and coordination of administrative procedures.

iv. Managing the Sabha Satsangh Register, Master Register of Members (includes when joined and when left), Register of Delegates, Register of All Samaj & Sabha Office Bearers, Sub-Committee Register/Details.

d. Digital Records & Communication – The General Secretary shall ensure that:

i. All correspondence, minutes, registers, and records may be maintained in physical or electronic form, or in both physical and electronic form, as the Sabha Committee decides, provided electronic copies are securely stored, backed up, and accessible to the Executive Committee;

ii. Digital communication platforms (including email, video conferencing, and approved social media) may be used for official purposes, provided they comply with the Sabha's policies on confidentiality, data protection, and record-keeping;

iii. A proper system of archiving electronic records is maintained for reference and accountability.

e. Executive Responsibility – The General Secretary shall serve under the direction of the Executive Committee as an Executive Officer in respect of the Sabha generally. He/She shall, as far as possible, consult the Executive Committee in all important matters or report such matters at the earliest opportunity.

f. The General Secretary shall maintain all invoices, records of payments, insurance documents, copies of financial accounts, cashbooks, audit reports, and consolidated account details for a minimum period of ten (10) years

B. Assistant Secretary

a. Sabha

In the absence of the Sabha General Secretary, the Sabha Assistant Secretary shall undertake all duties and responsibilities of the General Secretary. The Assistant Secretary shall also assist the General Secretary with any of his/her duties when requested, thereby supporting the efficient and effective management of the Sabha's affairs.

b. Samaj

In the absence of the Samaj Secretary, the Samaj Assistant Secretary, or such other officer as may be appointed by the Executive Committee, shall undertake all duties and

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responsibilities of the Secretary. The Assistant Secretary or the officer so appointed shall also assist the Secretary with any of his/her duties when requested, thereby supporting the efficient and effective management of the Samaj's affairs.

71. General Treasurer & Samaj Treasurer

A. Core Responsibilities

- **Financial Management:** Oversee daily financial operations, including managing banking, paying bills (as per standing policies), and tracking income and expenses.
- **Budgeting:** Work with the Executive Committee to prepare and manage the annual budget, ensuring expenditures align with the Samaj's and Sabha's objectives.
- **Record Keeping:** Maintain complete and accurate records of all financial transactions and assets.
- **Reporting:** Present regular financial reports and statements to the Executive Committee and Annual General Meeting, highlighting financial performance and position.
- **Audits:** Coordinate and facilitate annual audits to ensure transparency, accuracy, and compliance.

B. Key Functions

- **Cash Management:** Ensure sufficient funds are available to meet the Sabha's and Samaj's liabilities and manage cash flow prudently.
- **Financial Oversight:** Advise the Executive Committee on financial policies, potential financial risks, and sound investment strategies.
- **Compliance:** Ensure adherence to all relevant legal, regulatory, and ethical standards of financial management.
- **Asset Protection:** Safeguard the Sabha's funds, property, and other financial assets against misuse or loss.

C. Assistant Treasurer

a. Sabha

In the absence of the Sabha General Treasurer, the Sabha Assistant Treasurer shall

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undertake all duties and responsibilities of the General Treasurer. The Assistant Treasurer shall also assist the General Treasurer with any of his/her duties when requested, thereby supporting the efficient and effective management of the Sabha's affairs.

b. Samaj

In the absence of the Samaj Treasurer, the Samaj Assistant Treasurer, or such other officer as may be appointed by the Executive Committee, shall undertake all duties and responsibilities of the Treasurer. The Assistant Treasurer or the officer so appointed shall also assist the Treasurer with any of his/her duties when requested, thereby supporting the efficient and effective management of the Samaj's affairs.

72. Purohit

An Arya Samaj Purohit is not merely a ritual officiant but a living embodiment of the movement's principles of **universal brotherhood, righteousness, and social upliftment**. Rooted in the wisdom of the Vedas and the teachings of Swami Dayanand Saraswati, a Purohit guides individuals and communities on their spiritual path while promoting education, equality, and service to humanity.

A. Knowledge and Scholarship

- **Vedic foundation:** Possesses a deep and practical understanding of the Vedas, *Satyarth Prakash*, and related Arya Samaj literature. Must follow *Hawan Yaj* procedures as outlined in the APS Fiji *Hawan Book*, or any similar Book approved by the Sabha.
- **Ritual expertise:** Proficient in conducting sacred rites such as Havan, Solah Sanskars, and other essential ceremonies with devotion and precision.
- **Continuous learning:** Committed to lifelong study and self-improvement, continually strengthening spiritual knowledge and skills in Vedic studies and Arya Samaj principles.

B. Character and Conduct

- **Living the principles:** Embodies the tenets of Arya Samaj in daily life—righteousness, truthfulness, social responsibility, and universal brotherhood.
- **Empathy and compassion:** Offers genuine care and guidance to those seeking spiritual direction or emotional support.

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- **Patience and humility:** Practices patience and humility, essential when guiding others in spiritual and cultural matters.
- **Personal discipline:** A Purohit must strictly refrain from the consumption of meat, fish products, alcohol, cigarettes, kava and all forms of intoxicants, thereby maintaining purity of body and mind.

C. Communication and Leadership

- **Clarity of expression:** Demonstrates excellent communication skills, able to explain profound ideas in clear and relatable ways.
- **Charismatic leadership:** Inspires and motivates through personal example, uplifting speeches, and a warm presence.
- **Service-driven:** Actively engages in community service and outreach programs, embodying the Arya Samaj principle of working for the well-being of all.

D. Role in the Community

- **Spiritual mentor:** Provides guidance for individuals and families on their spiritual journeys, fostering inner growth and harmony.
- **Educator and reformer:** Promotes Vedic education, rational thinking, and awareness of Arya Samaj principles.
- **Preserver of heritage:** Upholds and transmits cultural traditions through the performance of rituals and the spread of Vedic teachings.

E. Qualifications

1. **Training and Accreditation:** All trainee Purohits must undergo a training program and successfully complete a test conducted by the APS Fiji Purohit Trainer, or an equivalent authority as approved by the Sabha from time to time. Only upon successful completion will a Purohit be authorized to perform as a Sabha-appointed Purohit.
2. **Membership Requirement:** A Purohit must be a current financial member of an affiliated Samaj of the Sabha and a resident or citizen of New Zealand.
3. **Loss of Membership:** If a Purohit ceases to be a member of an affiliated Samaj, their registration, standing, and privileges as a "Registered Sabha Purohit" will automatically cease.

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4. **Conduct and Disciplinary Action** - If a Purohit engages in conduct that brings the Sabha and/or its officials into disrepute or fails to maintain the required **Personal Discipline** as outlined in **Section 72 (B)** above, the Purohit shall be subject to disciplinary action as determined by the Sabha.
-

73. Asset Manager

The Asset Manager shall be responsible for maintaining oversight of all assets and inventory owned by the Sabha and its affiliated Samajs.

Core Responsibilities

- **Asset Register:** Maintain an up-to-date central register of all assets and inventory, Books (Library & Books for sale), Havan Kund and other items for sale, including those of affiliated Samajs, recording acquisitions, disposals, write-offs, and transfers.
- **Samaj Asset Reporting:** Ensure that each affiliated Samaj submits an updated asset register **annually** to the Sabha for consolidation and verification.
- **Condition & Maintenance:** Monitor the condition of assets across the Sabha and affiliated Samajs, and advise the Executive Committee on repairs, replacements, and maintenance requirements.
- **Disposal & Write-Offs:** Recommend the disposal or write-off of obsolete, damaged, or surplus assets, in accordance with policies approved by the Executive Committee.
- **Asset Protection:** Ensure that all assets are properly safeguarded, stored, and insured where appropriate.
- **Reporting:** Provide periodic reports to the Executive Committee on the status and value of assets, including recommendations for improvement in asset management practices.

Other Duties

The Asset Manager shall also undertake any additional responsibilities relating to property and inventory management as may be assigned by the Sabha Executive Committee from time to time.

This ensures that:

- All Samaj assets are **tracked centrally**.
- There is an **annual reporting requirement** for compliance and transparency. SS

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- The Executive Committee gets advice on **replacement, disposal, or write-off decisions.**
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74. Public Relations Officer

Core Responsibilities

- **Community Engagement:** Strengthen relationships with community, and other stakeholders by promoting Sabha activities and initiatives.
- **Event Promotion:** Publicise and support the organisation of Sabha events, ensuring maximum participation and visibility, as per instructions from the President or the Executive Committee.
- **Information Sharing:** When asked, assist the General Secretary in maintaining regular communication about decisions, programs, and opportunities to participate.
- **Brand & Reputation Management:** Safeguard and enhance the Sabha's and Samaj's public reputation through effective communication strategies.
- **Reporting:** Provide regular updates to the Executive Committee on publicity and communication activities.

Other Duties: The PRO shall also undertake such additional tasks and responsibilities as may be assigned by the Executive Committee from time to time.

75. Property Vested in Sabha (also see Clause 18(L))

75.1 Mandatory Transfer Upon Change of Committee

(a) Immediately upon the conclusion of any Special General Meeting (SGM) or Annual General Meeting (AGM), and **in any event no later than five (5) calendar days thereafter**, the outgoing committee of an affiliated Arya Samaj/Sabha **shall lawfully transfer, hand over, and deliver** to the incoming committee **full possession, custody, control, and beneficial ownership of all funds and property whatsoever**, whether tangible or intangible, including but not limited to:

- all monies, cash, work-in-progress and cash on hand.
- all bank accounts, bank balances, investments and financial instruments.
- all receipts, receipt books (new, used, and in use);

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- all accounting records, financial statements, and audit materials.
- all minutes, correspondence, registers, inventories, and documents.
- all movable and immovable property, assets, and effects of the Samaj.

Failure to comply shall constitute a **material breach of this Constitution** and a **breach of fiduciary duty**.

75.2 Vesting Upon Withdrawal, Dissolution, or Termination

(b) Upon the **withdrawal, dissolution, suspension, expulsion, or termination** of any affiliated Arya Samaj for any reason whatsoever, all property of that Samaj shall **automatically, immediately, and without condition vest in the Sabha**, and shall be returned and delivered to the Sabha within five (5) calendar days of such event.

Such property shall include, without limitation:

- all funds, cash, cash on hand, work in progress, bank accounts, investments, securities, rental income, interest (including accrued interest), dividends, shares, bonds, and receivables.
- all books, records, correspondence, minutes, membership forms, registers, all receipts, receipt books (new, used, and in use), and documents of every description.
- all assets and belongings, including land, buildings, furniture, ritual items, religious texts (including Vedas), chattels, and **any property of whatsoever kind or nature and wheresoever situated**.

75.3 Absolute and Irrevocable Vesting

(c) For the avoidance of doubt, in all circumstances and at all times, all funds, bank accounts, assets, property, records, investments, bank accounts, inventories, and belongings of every affiliated Arya Samaj — whether current, suspended, dissolved, withdrawn, or former — **shall vest absolutely, exclusively, and irrevocably in the Sabha**.

No affiliated Samaj, committee member, office bearer, trustee, employee, volunteer, or individual shall have or claim any legal, equitable, beneficial, or proprietary interest therein.

Any attempt to retain, dispose of, encumber, transfer, or withhold such property **without the written authority of the Sabha** shall be **null and void**.

75.4 Acknowledgement, Supremacy, and Enforceability

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(d) Each affiliated Arya Samaj **expressly agrees, acknowledges, and undertakes** that:

(i) This Constitution constitutes the sole, supreme, and legally binding governing instrument regulating the affairs, governance, rights, obligations, property, and dispute resolution mechanisms of the Sabha and all affiliated Arya Samajs.

(ii) All affiliated Arya Samajs, their committees, office bearers, and members irrevocably submit to and are bound by this Constitution, including its property and vesting provisions; and

(iii) It is the express intention of the parties that all disputes, claims, or controversies arising under or in connection with this Constitution shall be resolved internally and strictly in accordance with its provisions, prior to the initiation of any external legal proceedings.

75.5 Survival and Remedies

(e) The provisions of this Clause **shall survive** withdrawal, dissolution, suspension, termination, or any change in committee or affiliation.

(f) The Sabha shall be entitled to all legal and equitable remedies, including injunctive relief, recovery of property, damages, and costs, in the event of any breach of this Clause.

75.6 Personal Liability of Committee Members and Office Bearers

(a) Joint and Several Liability

Any committee member, office bearer, trustee, or authorised signatory of an affiliated Arya Samaj who fails, refuses, neglects, delays, obstructs, or otherwise does not comply with the requirements of this Clause 75 — including the transfer, delivery, or surrender of funds, assets, records, or property — shall be jointly and severally personally liable to the Sabha for:

- the full value of all property, funds, or assets not transferred.
- any loss, damage, depreciation, or dissipation suffered by the Sabha; and
- all costs and expenses, including legal costs on a full indemnity basis, incurred by the Sabha in enforcing its rights.

(b) Breach of Fiduciary Duty and Trust

Such failure or refusal shall be deemed to constitute a serious breach of fiduciary duty, breach of trust, and misappropriation of property, regardless of whether the property is held in the name of the Samaj, the committee, or any individual.

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(c) No Defence or Justification

It shall not be a defence that:

- the property is registered in the name of the affiliated Samaj or an individual.
- the committee member acted on instructions of the Samaj or its members.
- the committee member claims lack of authority, resignation, or expiry of office; or
- the dispute is ongoing or unresolved.

Obligations under this Clause apply personally and survive resignation, removal, or cessation of office.

(d) Indemnity in Favour of Sabha

Each committee member and office bearer irrevocably indemnifies and holds harmless the Sabha against all claims, losses, liabilities, damages, penalties, and expenses arising from any breach of this Clause, including claims by third parties.

(e) Equitable and Injunctive Relief

The Sabha shall be entitled, without prejudice to any other remedy, to seek urgent injunctive relief, tracing orders, asset-freezing orders, account disclosure orders, and recovery proceedings against any personally liable individual.

76. Bank Accounts

The Trustees will operate all Bank accounts. Signing authority may be granted to an Officer/s, as recommended by the Sabha Executive Committee and approved by the Sabha and Trustees.

77. Funds and Income

All funds and income from the Sabha's properties, including fees and other levies, shall be banked into the bank account opened in the name of the Sabha.

78. Delegation of Authority

A. Delegation to Managing Authority

The Sabha may, at its absolute discretion, delegate administration and control of any

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institution to any affiliated Samaj or to any committee or sub-committee ("Managing Authority").

B. Duties of Managing Authority

(a) The Managing Authority shall abide by the direction of the Executive Committee of the Sabha in any matter pertaining to the delegated institution.

(b) The Executive Committee shall have the right to take direct control of any institution at its absolute discretion if the Managing Authority fails to properly manage its affairs, fails to abide by directives, or where continuation of its management would be prejudicial to the institution's welfare.

(c) The Executive Committee shall have the right to appoint a Media Relations Officer.

C. Ratification of Takeover

Any takeover of management by the Executive Committee shall be placed before the Annual General Meeting or Special General Meeting of the Sabha within three months for sanction. The decision of such a meeting shall be conclusive and binding.

D. Future Management

It shall be the duty of the Executive Committee thereafter to make arrangements for proper management of the institution so taken over and to rectify defects which caused such mismanagement. If satisfied, the Executive Committee may return management to the Managing Authority, either provisionally or fully.

79. Trustees

A. Number and Term

1. The Sabha must have not less than three (3) and not more than five (5) Trustees.
2. Trustees shall be elected at an Annual General Meeting (AGM) or Special General Meeting (SGM).
3. A Trustee shall hold office until one of the following occurs:
 - a. Death
 - b. Mental incapacity

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c. Conduct deemed by the Sabha to render the Trustee unfit

d. Insolvency, including:

- o Receiving order under the Insolvency Act 1967 (or subsequent legislation),
or
- o Being adjudged bankrupt

e. Resignation by written notice to the Sabha

f. Removal by resolution supported by at least two thirds (66.67%) of members present at a properly convened General Meeting, on grounds of misconduct or negligence or other.

g. Ceasing to be a financial member of an affiliated Samaj

B. Continuity

If a Trustee dies, resigns, is removed, or is absent overseas, the remaining Trustees shall continue to carry out their duties until a replacement is appointed by the Sabha.

C. Trusteeship of Assets

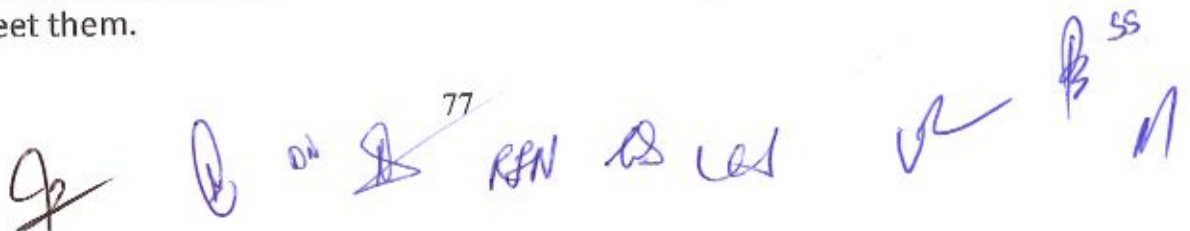
1. All real and personal property of the Sabha shall be vested in the Trustees, who shall hold such property in trust for the Sabha.
2. Trustees may, only under the direction of the Sabha, manage, control, purchase, sell, transfer, mortgage, or lease such property.

D. Legal Duties of Trustees (Incorporated Societies Act 2022)

Trustees are deemed to be officers of the society and must:

1. Act in good faith and in the best interests of the Sabha.
2. Exercise powers only for proper purposes.
3. Comply with the Incorporated Societies Act 2022 and this Constitution.
4. Exercise the care, diligence, and skill that a reasonable person would exercise.
5. Protect the Sabha's assets and avoid creating a substantial risk of serious financial loss.
6. Not agree to obligations unless there are reasonable grounds to believe the Sabha can meet them.

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E. Practical Responsibilities of Trustees - Trustees are responsible for ensuring:

1. Financial management, budgeting, and compliance with financial obligations.
2. Development and implementation of policies and strategic plans.
3. Oversight and monitoring of the Sabha's operations.
4. Accurate record-keeping of activities and finances.
5. Timely filing of annual returns and updates with the Registrar.

F. Standards of Conduct

Trustees must uphold the highest standards of governance, including:

1. **Integrity and Character** – always acting honestly and ethically.
2. **Competence and Capability** – possessing the necessary skills and experience.
3. **Financial Soundness** – demonstrating personal and professional financial responsibility.
4. **Compliance with Law and Policy** – adhering to the law, this Constitution, and Sabha policies.
5. **Conflict of Interest Transparency** – fully declaring and managing conflicts.
6. **Commitment and Attendance** – attending Trustee meetings and participating actively.
7. **Cultural and Values Alignment** – upholding the Sabha's values and purpose.

G. Governance Notes

1. **Selection:** Trustees are nominated and approved either by a Nominations Committee or at the AGM, subject to "fit and proper" checks.
2. **Performance Review:** The Chair of Trustees (or an independent reviewer, if required) will review Trustee performance annually, with results tabled at Trustee meetings.
3. **Dismissal:**
 - a. The National President has delegated authority to recommend and, in urgent cases of dishonesty, misconduct, or serious breach of duty, enact suspension or dismissal (subject to confirmation at the next General Meeting).

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b. For other matters (e.g., capability or meeting attendance), removal requires Board resolution or AGM confirmation, in accordance with this Constitution.

80. Appointment of Attorney

A. Authority to Initiate Legal Proceedings:

- Any legal action or proceedings involving the Sabha must be instituted in the name of the Sabha.

B. Appointment of Attorney:

- The National President has the authority to appoint an Attorney on behalf of the Sabha.
- This appointment must be made based on the advice of the Executive Committee, ensuring collective input from the leadership before taking legal action.

C. Key Points:

- (i) **Centralized Decision-Making:** Only the National President, or in his/her absence the Vice-President, can appoint an attorney or initiate legal proceedings, ensuring accountability.
 - (ii) **Consultative Process:** The Executive Committee provides advice, giving oversight and preventing unilateral decisions.
 - (iii) **Legal Representation:** The appointed attorney acts on behalf of the Sabha in all matters before the courts or legal authorities.
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81. Resolutions Binding All Members

A. Key Principle:

- Any resolution passed by the Sabha, or its Executive Committee is final and binding on all members, regardless of whether they attended the meeting.

B. Condition:

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- The meeting where the resolution was passed must have been held in substantial conformity with the Sabha Constitution.
- “Substantial conformity” means the meeting followed the **essential procedural rules** (e.g., proper notice, quorum, agenda, and voting procedures), even if there were minor deviations.

C. Implications:

- (i) **Binding Effect:** Members cannot ignore or refuse to comply with resolutions just because they were absent.
- (ii) **Authority of the Executive:** The Executive Committee’s decisions are enforceable (if made properly and as per the Constitution).
- (iii) **Procedural Compliance:** Ensures that resolutions are legitimate and defensible if challenged.

D. Practical Note: This clause reinforces **organizational discipline** and ensures that decisions taken in accordance with constitutional procedures apply to the whole membership.

82. Eligibility for Nomination

A. Only Delegates PRESENT (Physical or Virtual Presence) at an Annual General Meeting (AGM) or Special General Meeting (SGM) can be nominated as an office bearer of the Sabha or to the Executive Committee. **** Implication:** Physical or Virtual Presence at the meeting is **normally required to be considered for nomination.**

B. Nomination in Absence

- Delegates **absent from the AGM** can still be **nominated** as an office bearer or Executive Committee member **if they have given prior written consent.** (Refer 21 D 1+2).
- This consent must follow the **format in “PROXY”** (Refer 21 D 1+ 2) of the Constitution.

C. Implication: This allows participation of members who cannot attend the meeting while ensuring transparency and consent.

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83. Nomination to Managing Authority

- A financial member of any affiliated Arya Samaj, or a member of the Executive Committee, can be nominated to any Managing Authority of the Sabha even if absent from the Executive Committee meeting.
 - **Implication:**
 - Nominations to Managing Authorities are **more flexible** and **do not require presence** at the nominating meeting, if the member is financially qualified or part of the Executive Committee.
 - **However, the absent member may refuse** to accept the Managing Authority position if they do not wish to serve.
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84. Meeting Code of Conduct - Sabha & Samaj

Purpose

To ensure that all meetings of the Sabha, Samaj, Trustees, and/or Managing Authorities are conducted in an orderly, respectful, and disciplined manner, in accordance with the Constitution and the Incorporated Societies Act 2022.

A. General Behaviour

1. Members shall always maintain courteous and respectful behaviour.
2. Personal attacks, abusive language, or disruptive conduct are strictly prohibited.
3. Members shall listen attentively and allow all participants a fair opportunity to speak.

B. Adherence to Procedures

1. All meetings shall follow the agenda and procedures set out in the Constitution and Schedule "E".
2. Members shall respect the authority of the Chairperson to manage discussion and maintain order.
3. Points of order and motions shall be raised according to meeting rules, without interruption.

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C. Compliance with Constitution and Law

1. All members and office bearers must act in accordance with the Constitution.
2. All actions must comply with the Incorporated Societies Act 2022 and related legislation.
3. Trustees and office bearers must act in good faith, for proper purposes, and with due care.

D. Rules of Debate

1. A member shall speak only with the permission of the Chairperson and shall address the Chairperson.
2. A member shall not be interrupted, except by the Chairperson or on a point of order.
3. Any member with a direct or indirect interest in a matter under discussion shall declare such interest at the start of their address and shall withdraw from the meeting while the matter is being considered.
 - o "Interest" includes pecuniary, contractual, or other matters involving the member, or matters relating to appointments, terminations, transfers, promotions, award of contracts, additional increments, or similar, concerning the member, their spouse, children, parents, siblings, close relatives, partners, or shareholders.
4. A member shall confine remarks to the subject under discussion and shall not impute improper motives to any other member.
5. No member may speak more than once on any question, except on a point of order or to explain a matter of personal nature. Such explanations shall not be open to debate.
6. When the mover of a motion has exercised the right of reply, no other member may speak on the motion, and the question shall then be put to the vote.
7. A member who has already spoken may, with the permission of the Chairperson, clarify a material part of their speech that has been misunderstood, provided no new matters are introduced.
8. Debate on a motion shall commence once it has been moved and seconded. After debate has concluded, and the mover has replied, the motion shall be put to vote.
9. The Chairperson shall have both an original vote and a casting vote.

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E. Decision-Making

1. Resolutions passed at meetings, whether members are present or absent, shall be binding.
2. All motions, votes, and approvals must be conducted fairly and transparently.

F. Preparedness and Participation

1. Members shall attend meetings prepared, having read all relevant materials.
2. Written consent must be provided for nominations if a member is absent.

G. Accountability and Discipline

1. The Executive Committee may suspend or act against any member breaching these rules.
2. Any member subject to disciplinary action has the right to respond under the Sabha's internal dispute resolution procedures.

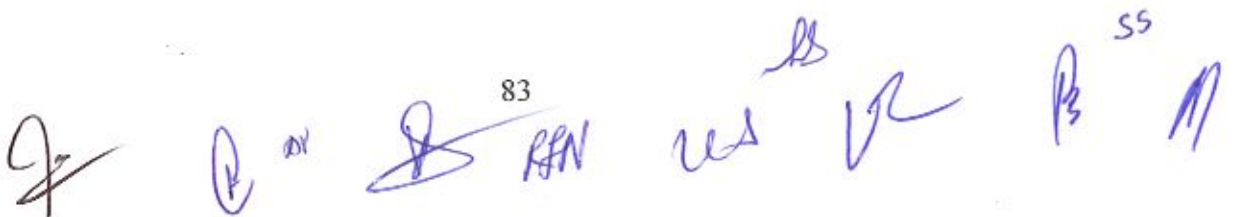
85. Constitution Amendments

(Also refer to Clause 58 of the Constitution – for Amending this Constitution)

A. Minor Amendments that can be done by Sabha Executive Committee

- a. The Executive Committee may, by a majority vote of the members present at a meeting, amend, add to, or repeal rules for **minor or technical corrections ONLY**.
- b. Such changes must be notified in writing to all members at least **30 working days** before the meeting.
- c. **NOTE: Major amendments** affecting the constitution, governance, or operations cannot be made under this rule and must follow the procedures **outlined in Constitution Rules 62**.
- d. **Minor amendments or technical corrections** may be made under Rule 61 in accordance with Section 31 of the 2022 Act, including **written notice to members** and a **30-working-day period to raise objections**.

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B. Amendments to the Constitution – AGM or SGM (Preferred Option).

(a) The constitution may be amended, altered, deleted, or added to **only at an Annual General Meeting (AGM) or Special General Meeting (SGM)**, provided that:

1. Written notice of the proposed amendment is sent to all members and affiliated Arya Samajs at least **30 clear days prior** to the meeting.
 2. The proposed amendment complies with this constitution.
 3. The amendment follows procedures required for **major changes** under the 2022 Act, including quorum and voting requirements.
 4. Members are provided an opportunity to raise objections or discuss the proposed amendment prior to voting.
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86. Secret Ballot Procedures

A. Decision to Hold Ballot

A secret ballot shall be conducted if:

- o The Chairperson so decides, or
- o Two (2) or more Members present at the meeting request it, or
- o The mover of the motion requests it.

B. Ballot Papers

The General Secretary (or a person appointed by the Chairperson) shall prepare and distribute ballot papers to all eligible Members present.

- o Each ballot paper shall clearly state the motion to be voted upon, with options for *For*, *Against*, and *Abstain*.

C. Casting of Votes

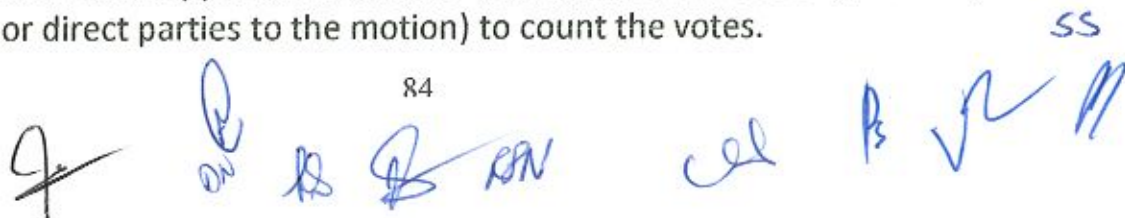
Each eligible Member shall mark their vote in secret and deposit their completed ballot paper into a sealed ballot box.

- o Proxy votes, where permitted under the Constitution, shall be included in the ballot count in accordance with the Proxy Form submitted.

D. Counting of Votes

The Chairperson shall appoint at least two (2) scrutineers (not being movers, seconders, or direct parties to the motion) to count the votes.

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Scrutineers shall ensure accuracy and fairness in the count and report the results to the Chairperson.

E. Declaration of Result

The Chairperson shall announce the result of the ballot to the meeting immediately after the count.

- The declared result shall be final and binding and recorded in the minutes of the meeting.

F. Retention of Ballot Papers

All completed ballot papers shall be retained securely by the General Secretary for a period of at least **twelve (12) months**, after which they may be destroyed, unless required for audit, dispute resolution, or legal purposes.

87. Interpretation of Constitution & Rules

The decision of the Executive Committee on the construction or interpretation of this constitution or any rule made thereunder shall be conclusive and binding to all members of the Sabha until set aside or varied at a very properly convened General Meeting of the Sabha.

Plain Meaning:

- The **Executive Committee** has the authority to interpret the constitution or rules.
- Their interpretation is **binding on all members**.
- This binding effect **remains until** it is formally overturned or modified at a **properly convened General Meeting**.

*** In other words, the Executive Committee acts as the primary interpreter, and only the collective decision of the Sabha in a **General Meeting** can override or change that interpretation.

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88. Addressing Other Matters as required by the Registrar

Where the Registrar considers that the constitution of the Sabha, as presented, is not adequate — even if all the prescribed requirements have been included — the Registrar may require that additional provisions be inserted, or alterations made before the Sabha can be incorporated.

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APPENDICES

1. SCHEDULE "A" – Membership Application Form (Samaj & Sabha)
2. SCHEDULE "B" – Members' Register (Samaj)
(General Secretary will Prepare Master Register from Samaj Register)
3. SCHEDULE "C" – Application for Affiliation (Samaj)
4. SCHEDULE "D" – Office Bearers & Delegates Register (Samaj)
(General Secretary will Prepare Master Register from Samaj Register)
5. SCHEDULE "E" – Proxy Form – (Sabha)
6. SCHEDULE "F" – Proxy Form – (Samaj)
7. SCHEDULE "G" – Interests Register (Samaj & Sabha)
(General Secretary will Prepare Master Register from the Samaj Registers)
8. SCHEDULE "H" – Prashikshan or Shivir Registration Form
9. SCHEDULE "I" – Officer's Consent - Qualification Form (Samaj & Sabha) – *(please refer to clause 37 of this Constitution)*



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Schedule "A" – Membership Application Form

(As required by Clause 11 of the Constitution)

Name of Samaj: _____
An affiliated Samaj of Arya Samaj Pratinidhi Sabha New Zealand Incorporated (ASPSNZ-INC)

1. Applicant Details

Full Name/s:

Address:
.....

Email/s:

Phone Number/s:

Date of Birth (Optional):

2. Background, Connection & Motivation

This section assists the Samaj in assessing an applicant's genuine connection with and commitment to Arya Samaj principles, in accordance with the Constitution and the Incorporated Societies Act 2022.

Please describe your interest in Arya Samaj and your reasons for seeking membership:

.....
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.....

Please outline your understanding of, connection to, or alignment with the principles and teachings of Arya Samaj as propounded by Maharishi Dayanand Saraswati ji:

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.....
.....

Applicants may, if they wish, briefly describe any relevant religious, cultural, or philosophical background that has informed their interest in Arya Samaj:

.....
.....

Have you previously been involved with Arya Samaj in New Zealand or overseas?

Yes No

If yes, please provide details (Samaj name, location, and period of involvement):

.....
.....

(Handwritten signatures and initials)

3. Membership Type

- Ordinary Financial Member (18 years and over)
- Family Member
- Student / Youth Member
- Other (please specify):

4. Declaration of Applicant

I / We hereby apply to become a member of:

Arya Samaj: _____

I / We confirm that:

1. I / We agree to abide by the Constitution and rules of the Society. A copy of the Constitution is available at www.nzaryasamaj.org.
2. I / We understand that membership is subject to approval by the Samaj Committee.
3. I / We agree to pay the prescribed membership fee(s) when due.
4. I / We consent to my personal information being collected, held, and used by the Samaj and the Sabha for legitimate administrative and governance purposes, in accordance with the Privacy Act 2020.
5. I / We understand that no person may be a financial member of more than one Arya Samaj in New Zealand at the same time.
6. I / We confirm that I / We have read and understand the Membership Information Sheet.

Signature of Applicant/s:

Date:

5. Proposer / Secunder (if required by the Constitution)

Proposer's Name: **Signature:**

Secunder's Name: **Signature:**

6. Committee Approval (Office Use Only)

- Approved Not Approved Approved Subject to Conditions

Receipt No.:

Date of Committee Meeting:

Committee Signature:

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7. Membership Information Sheet

We are pleased to provide the following information regarding membership of Arya Samaj:

- Completion of this Schedule "A" Membership Application Form is required for all applicants.
- By submitting this form, applicants agree to uphold the Constitution of ASPSNZ-INC.
- Applicants confirm that they have read, or will read, the Constitution available at www.nzaryasamaj.org.

Membership Fees:

- \$10.00 per person (aged 18 years and above), or such other amount as the Sabha may prescribe from time to time.
- Membership takes effect upon payment of the prescribed fee **and** approval by the Executive Committee of the respective Samaj.

Important Notes:

- No person may be a financial member of more than one Arya Samaj in New Zealand at the same time. Any dual or multiple financial memberships are **void ab initio** and constitute a material breach of this Constitution.
- Membership is based on genuine connection to and alignment with Arya Samaj principles and values.
- No Delegate or Executive Committee member may simultaneously hold, occupy, or perform the duties of an Executive Committee member, office bearer, or governing officer of any organisation whose:-
 - (a) objects, purposes, policies, activities, or public positions are **not aligned with**, or are **inconsistent with**, the objects and values of Arya Samaj Pratinidhi Sabha New Zealand Incorporated; or
 - (b) ideology, teachings, practices, or governing principles are contrary to, inconsistent with, or in contradiction to the principles of Maharishi Dayanand Saraswati and the foundational doctrines of Arya Samaj.
- Information provided in Section 2 is used solely for assessing membership suitability and governance compliance.

Privacy Statement:

All membership information is collected and used solely for the lawful purposes of the Samaj and the Sabha and will be held securely in accordance with the Privacy Act 2020.

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Schedule "B" – Officer's Attendance Register (by Samaj & Sabha)
(As required by Clause 19 of the Constitution)

Annual Membership & Attendance Return (as at 31 March _____) for Executives and Delegates.

Name of Samaj: _____

Affiliated to Arya Samaj Pratinidhi Sabha NZ Inc.

Year Ended: 31 March _____

Members Name/s	Receipt Number	Amount Paid \$	(a) Samaj Satsanghs Attended	(b) Other Samaj/Sabha Satsanghs Attended	(c) Total Attended Satsanghs Attended	Eligible YES/NO
----------------	----------------	----------------	------------------------------	--	---------------------------------------	-----------------

Certified Correct by:

President: _____ Signature: _____

Secretary: _____ Signature: _____

Date: _____

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Schedule "C" – Application for Affiliation

to the ARYA SAMAJ PRATINIDHI SABHA NEW ZEALAND INCORPORATED
(As required by Clause 17 of the Constitution)

Date: _____

1. Samaj Information

- Name of Arya Samaj: _____
- Address of Arya Samaj: _____

- District: _____
- Year of Formation: _____

2. Membership

- Number of Current Members: _____
- Current Subscription Type & Amount (monthly/annual):

- List of Members (attached): Yes

3. Governance

- Names of Office Bearers:

.....

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.....
.....
.....

- Delegates (if already decided) to represent the Samaj in the Sabha:

4. Declaration

We, the undersigned, hereby declare on behalf of the Arya Samaj named above that:

1. This Arya Samaj seeks affiliation to the **Arya Samaj Pratinidhi Sabha New Zealand Incorporated.**
2. The Arya Samaj shall **abide by and adhere to the Constitution, rules, and decisions** of the Sabha at all times.
3. All information provided in this application is true and correct to the best of our knowledge.

Signed for and on behalf of the Arya Samaj:

President: _____ Signature: _____

Secretary: _____ Signature: _____

Treasurer: _____ Signature: _____

Date: _____

Schedule "D" – Office Bearers & Delegates Register (by Samaj)

to the ARYA SAMAJ PRATINIDHI SABHA NEW ZEALAND INCORPORATED
(As required by Clause 25 (b) of the Constitution)

Date: _____

1. Samaj Information

- Name of Arya Samaj: _____

2. Membership

- Number of Current Financial Members: _____
- List of Members Attached: Yes (on separate sheet)

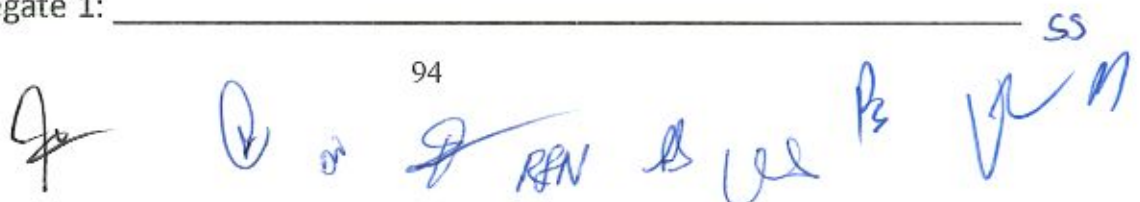
3. Governance

Office Bearers

- Patron (Optional – see clause 10 (f)): _____
- President: _____
- Vice President: _____
- Secretary: _____
- Treasurer: _____
- Public Relations Officer (Optional) _____
- Executive Committee Members (up to a maximum of three):
 - _____
 - _____
 - _____

Delegates (if any) to represent the Samaj in the Sabha

- Delegate 1: _____

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- Delegate 2: _____
- Delegate 3: _____
- Delegate 4: _____
- Delegate 5: _____
- Delegate 6: _____
- continue separate sheet, if more.

4. Declaration

We, the undersigned, hereby declare on behalf of the Arya Samaj named above that:

1. This Arya Samaj wishes to continue its affiliation to the Arya Samaj Pratinidhi Sabha New Zealand Incorporated.
2. The Arya Samaj shall abide by and adhere to the Constitution, rules, and decisions of the Sabha always.
3. All appointed and/or elected Office Bearers and Delegates have attended the required number of satsanghs as per the Constitution, and such attendance has been recorded for the Sabha to verify. All the Officers have signed the Officer's Qualification Form to support their appointment.
4. A copy of the AGM Minutes and Committee Meeting Minutes will be forwarded to the General Secretary as per the Constitution.
5. All information provided in this Register is true and correct to the best of our knowledge.

Signed for and on behalf of the Arya Samaj _____

President: _____ Signature: _____

Secretary: _____ Signature: _____

Treasurer: _____ Signature: _____

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Schedule "E" – Proxy Form - Sabha

(As required by Clause 21 of the Constitution)

The General Secretary
Arya Samaj Pratinidhi Sabha NZ Incorporated (Sabha)
593 Blockhouse Bay Road
Blockhouse Bay
Auckland 0600

Date:

I/We regret to advise that I/We will not be able to attend the Annual General Meeting of the Arya Samaj Pratinidhi Sabha NZ Incorporated, scheduled for (Day) (Date), or any subsequent date in the event of adjournment due to lack of quorum.

1. Proxy Attendance – Absent Member (Optional)

In accordance with Clause 21 of the Constitution of the Arya Samaj Pratinidhi Sabha NZ Incorporated, I/We,

.....

hereby appoint my/our proxy to attend the Meeting on my/our behalf.

Note –

a. If no nomination is sought but the Member/Delegate wishes to provide proxy attendance, then only Section 1 (above) needs to be completed.

b. If nomination is required, then please complete either 2 (a) or 2 (b).

2. Nomination Consent Form (Optional)

If a Member/Delegate wishes to be nominated for a position, please complete one of the following:

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2 (a) In accordance with the Constitution, I/We,

.....
hereby consent to being nominated for **any position** in the Sabha Committee at the Meeting.

2 (b) In accordance with the Constitution, I/We,

.....
hereby consent to being nominated **for the position of**
.....
in the Sabha Committee at the Meeting.

3. Officer's Consent – Refer Clause 37 of this Constitution

All members seeking Nomination must also sign the Officer's Consent Form as per clause 37 of this Constitution.

I/We agree to abide by the majority decisions taken at the above Meeting and accept that such decisions shall be binding.

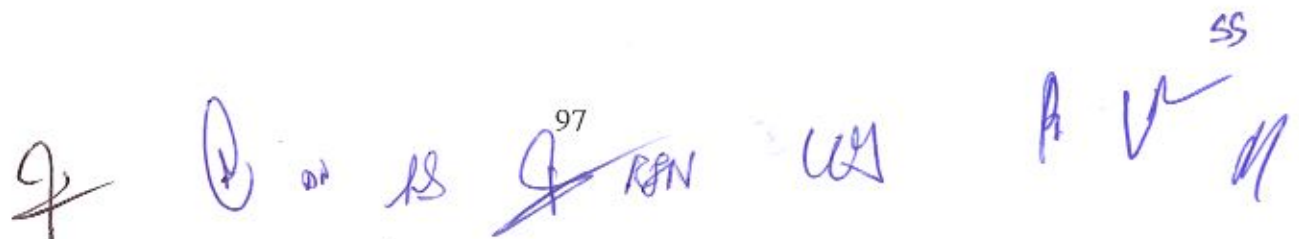
Signed:

Name(s):

Address:

Email:

Phone:



Schedule "F" – Proxy Form - Samaj

(As required by Clause 21 of the Constitution)

The Secretary

Arya Samaj _____

Date:

I/We regret to advise that I/We will not be able to attend the Annual General Meeting of the Arya Samaj, scheduled for (Day) (Date), or any subsequent date in the event of adjournment due to lack of quorum.

1. Proxy Attendance – Absent Member (Optional)

In accordance with Clause 21 of the Constitution of the Arya Samaj Pratinidhi Sabha NZ Incorporated, I/We,

.....

hereby appoint my/our proxy to attend the Meeting on my/our behalf.

Note –

a. If no nomination is sought but the Member wishes to provide proxy attendance, then only Section 1 (above) needs to be completed.

b. If nomination is required, then please complete either 2 (a) or 2 (b).

2. Nomination Consent Form (Optional)

If a Member/Delegate wishes to be nominated for a position, please complete one of the following:

2 (a) In accordance with the Constitution, I/We,

.....

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hereby consent to being nominated for **any position** in the Samaj Committee at the Meeting.

2 (b) In accordance with the Constitution, I/We,

.....
hereby consent to being nominated **for the position of**

.....
in the Samaj Committee at the Meeting.

3. Officer's Consent – Refer Clause 37 of this Constitution

All members seeking Nomination must also sign the Officer's Consent Form as per clause 37 of this Constitution.

I/We agree to abide by the majority decisions taken at the above Meeting and accept that such decisions shall be binding.

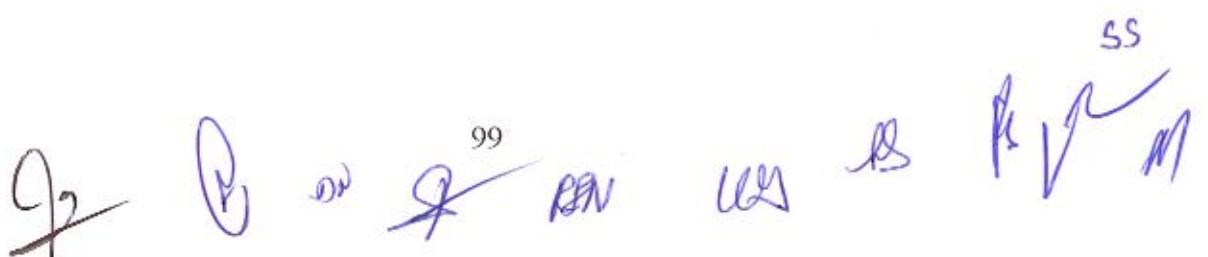
Signed:

Name(s):

Address:

Email:

Phone:



Schedule "G" – Interest Register – (Sabha & Samaj)

(As required by Clause 44 of the Constitution)

Interest Register

Interest includes any situation where a **Committee Member** may derive a financial benefit, personal advantage, or where their duties to another person or entity may conflict with their duties to the Society.

- o Examples include:
 - Being a shareholder, director, or trustee of an organisation dealing with the Society.
 - Receiving payments from the Society other than as a member.
 - Having a close family member involved in contracts/employment with the Society.
 - Any other situation that may reasonably be perceived as a conflict of interest.

Interest Register Must Include the Following

Disclosure Table

- a. Date of Disclosure: _____
- b. Name of **Committee Member**: _____
- c. Nature of interest (e.g. Director of ABC Ltd, Supplier to Samaj or Sabha, **OR** Family Member employed by Samaj or Sabha)
- d. Transaction (e.g. Supply Contract for event, **OR** Employment contract for employee)
- e. Committee Action: (e.g. Member declared Interest + abstained = conflict managed)
- f. Date resolved/Closed: _____
- g. Additional Notes: _____

Responsibility & Maintenance of Register

- A. The General Secretary (or any designated officer of the Sabha) is responsible for updating and keeping the Master Register.
- B. All Affiliated Samaj must maintain a similar Register and Submit the Samaj Interest Register to the General Secretary before 31st May of each year. The Interest Register should also form part of the Samaj AGM.

[Handwritten signatures and initials in blue ink, including a circled 'D', 'SS', and various initials]

Schedule "H" - Registration Form – Prashikshan/Shivir

Arya Samaj Pratinidhi Sabah NZ Inc. Prashikshan/Shivir Registration Form

Dates:

Time:

Venue:

Student Information

- Full Name of Student: _____
- Date of Birth (must be 4 years or older): ____ / ____ / ____
- Age: _____
- Samaj (if applicable): _____
- Address: _____
- Parent/Guardian Name(s): _____
- Contact Number(s): _____
- Email Address: _____

Emergency Contact (other than parent/guardian)

- Name: _____
- Relationship: _____
- Phone Number: _____

Medical Information

- Does the student have any medical conditions?
 Yes No
If yes, please specify: _____

[Handwritten signatures and marks]

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SS

- Is the student currently taking any medication?
 Yes No
 If yes, please list: _____

- Allergies (including food, medication, insect bites):

Consent & Terms & Conditions

1. Students must be 4 years or older to attend.
2. Students from 4 to 5 years old must be always accompanied by a parent/guardian.
3. Students must bring their own vegetarian lunch each day.
4. Students are expected to always behave in respectful and appropriate ways.
 - Disruptive or inappropriate behaviour may result in suspension or expulsion from the Prashikshan.
5. Parents/Guardians (if staying back) are welcome but must not interfere in the teaching or discipline process.
6. While all reasonable care will be taken, Arya Samaj Pratinidhi Sabha NZ Inc. and its volunteers will not be held responsible for any loss, damage, or injury that may occur during the Prashikshan.
7. I authorise the organisers to obtain medical treatment for my child in case of emergency.
8. I consent to photographs/videos of my child being taken during the Prashikshan for Arya Samaj educational and promotional purposes.

Parent/Guardian Declaration

I, _____ (Parent/Guardian), confirm that the above information is correct and that I agree to the terms and conditions of my child's participation in the Prashikshan.

Signature: _____ Date: ___ / ___ / 2025

For Office Use Only

- Application received by: _____
- Date received: ___ / ___ / 2025
- Notes: _____

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Schedule "I" - Consent & Certificate of Officer

Arya Samaj, an affiliate of Arya Samaj Pratinidhi Sabha New Zealand Incorporated.

OR, Arya Samaj Pratinidhi Sabha New Zealand Incorporated

NOTES FOR OFFICERS

Ensure that you meet the qualification criteria for being an officer of this society before signing this consent form (see the qualification criteria on page 2). By signing this consent, you also consent to these details being added to the Incorporated Societies Register for this society. Your contact address and email address will only be visible to, and used by, the Registrar – they will not be displayed on the public register. Remember to advise society any time these details change.

NOTES FOR SOCIETIES

You won't be asked to upload a copy of this consent and certificate to the Incorporated Societies Register but you must keep a copy in your records.

OFFICER'S DETAILS

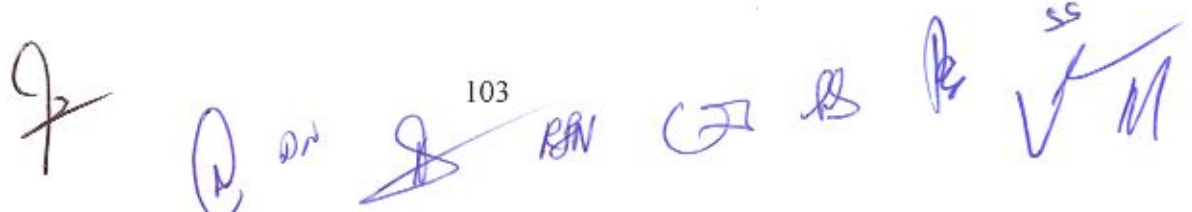
Full Name (First, Middle, and Surname)

Are you a member of the Samaj, YES name of Samaj _____

CONTACT ADDRESS

EMAIL _____

DATE ELECTED or APPOINTED _____

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Qualification criteria

Before signing this consent form, ensure that you meet the qualification criteria set out in section 47 of the Incorporated Societies Act 2022.

1. Every officer of a society must be a natural person.
2. The following persons are disqualified from being elected or appointed or otherwise holding office as an officer of a society:
 - a. a person who is under 16 years of age
 - b. a person who is an undischarged bankrupt
 - c. a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013, or the Takeovers Act 1993
 - d. a person who is disqualified from being an officer of a charitable entity under the Charities Act 2005
 - e. a person who has been convicted of any of the following, and has been sentenced for the offence, within the last 7 years:
 - i. an offence under subpart 6 of Part 4 of the Incorporated Societies Act 2022
 - ii. a crime involving dishonesty (within the meaning of section 2(1) of the Crimes Act 1961)
 - iii. an offence under section 143B of the Tax Administration Act 1994
 - iv. an offence under section 22(2) of the Incorporated Societies Act 2022
 - v. an offence, in a country, State, or territory other than New Zealand, that is substantially similar to an offence specified in subparagraphs i. to iv.
 - vi. a money laundering offence or an offence relating to the financing of terrorism, whether in New Zealand or elsewhere.
 - f. a person who is subject to any of the following orders:
 - i. a banning order under subpart 7 of Part 4 of the Incorporated Societies Act 2022
 - ii. an order under section 108 of the Credit Contracts and Consumer Finance Act 2003
 - iii. a forfeiture order under the Criminal Proceeds (Recovery) Act 2009
 - iv. a property order made under the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of that Act.
 - g. a person who is subject to an order that is substantially similar to an order referred to in paragraph f. under a law of a country, State, or territory outside New Zealand that is a country, State, or territory prescribed by the regulations.
 - h. in relation to the society, a person who does not comply with any qualifications for officers contained in society's constitution.
3. A natural person who is disqualified from being an officer but who acts as an officer^{SS}

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is an officer for the purposes of a provision of this Act that imposes a duty or an obligation on an officer.

Option 1 for an affiliated Samaj of ASPS

OFFICER'S Declaration - SAMAJ

I consent to be an officer of Arya Samaj _____, an affiliate of ARYA SAMAJ PRATINIDHI SABH NEW ZEALAND INCORPORATED and certify that I am not disqualified from being appointed or holding office as an officer of a society.

..... Signature

..... Date.

Option 2 for ASPS

OFFICER'S Declaration – SABHA

I consent to be an officer of ARYA SAMAJ PRATINIDHI SABH NEW ZEALAND INCORPORATED and certify that I am not disqualified from being appointed or holding office as an officer of a society.

..... Signature

..... Date.

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To: 1. The Registrar of Incorporated Societies
2. Charities Services

Date: 22 February 2026

Confirmation to the Registrar and Charities Services

We, the undersigned officers and/or members of the Sabha (Society), hereby confirm that the Constitution of the Sabha was duly amended at a Special General Meeting of members held on the 22nd day of February 2026, in accordance with the Incorporated Societies Act 2022.

We further confirm that:


1. Proper notice of the meeting and proposed amendments was given to all members.
2. The amendments were approved by most members present and voting.
3. The amended Constitution was formally adopted by the Society and is now the governing document of the Sabha, effective 22nd February 2026.


Signed:


For and on Behalf of the Sabha:
**ARYA SAMAJ PRATINIDHI
SABHA NEW ZEALAND
INCORPORATED**


Pta. Shanti Uttam Singh, Arya Ratna
Patron


Baswa Nand
National President & Trustee

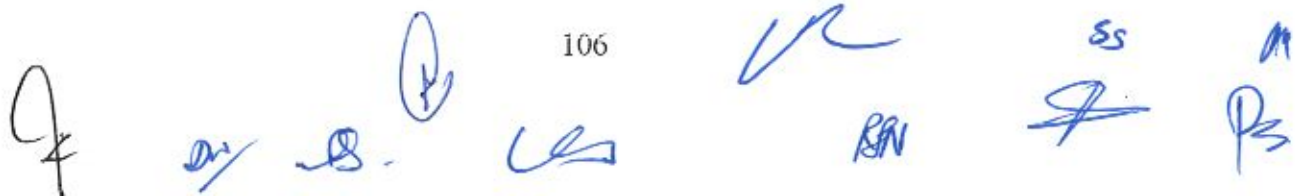

Praveen Singh
Vice-President & Trustee


Pta. Kiranlata Sundar
PRO


Jag Datt, Arya Ratna
Patron – ASWA


Ugendra Datt
General Secretary


Sandeep Singh
General Treasurer





Nitesh Ram
Asst Secretary



Anmol Gupta
Asst Treasurer



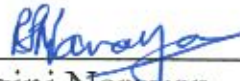
Saniesh Sonal Chand
Delegate



Vikraant Nand
Asset Manager



Pt. Dhirendra Nath
Delegate



Ragini Narayan
Delegate



Mahendra Pratap Singh
Member - ASWA



Dharmendra Nath
Member - ASWA



Dijendra Singh
Member - ASWA



Ranita Singh
Member - ASWA



Vijendra Sharma
Member - ASWA

Note: The following individuals were also present at the Special General Meeting as attendees:

1. Aanya Singh (9 years old) and Ruhan Singh (7 years old) (*both minors*), and
2. Vijay Kumar (*Delegate*), and
3. Harendra Sundar (*Trustee & Delegate*)

