

Constitution
of the
**Leuva Patidar Samaj (Surat, Navsari &
Valsad District) UK**
2010
Charity No: 296222

Amendment History

Date	Amendment
15 June 2015	Clause 17(2)(a)ii and 17(2)(b)ii



"Uniting the Leuva Patidars of the United Kingdom"

Constitution

Adopted on the 26th September 2010

PART 1

1. Adoption of the Constitution

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

2. The Name

The association's name is

LEUVA PATIDAR SAMAJ (SURAT, NAVSARI & VALSAD DISTRICT) OF THE UNITED KINGDOM.

(and in this document it is called the Charity)

For clarification, Valsad was formally known as Balsar, Bulsar or Bhulsad and in this constitution the districts of Valsad, Balsar, Bulsar and Bhulsad are deemed to be the same and hereafter be referred to as Valsad.

3. The Charity's objects (the Objects) are

- (1) The advancement of the Hindu religion in particular among the Hindu community in the United Kingdom known as Leuva Patidar which originates from the Surat, Navsari and Valsad districts of India (hereinafter called 'the Community').
- (2) The relief of poverty and sickness among the members of the Community.
- (3) The advancement of education among children and adults of the Community.
- (4) The provision or assistance in the provision of facilities for the recreation and other leisure time occupation of the Community and in particular of members of the Community who have need of such facilities by reason of their youth, age, infirmity or disablement, poverty or social and economic circumstances, in the interests of social welfare and with the object of improving the conditions of life.

In furtherance of the above objects but not further or otherwise the Charity through its Trustees shall have powers:-

- (a) To co-operate with all other charitable organisations engaged in the promotion of Indian culture and traditions and to affiliate for such purpose and to cooperate with any body being a public authority;

- (b) To encourage members of the Community to participate fully and effectively in the affairs of the society of which they are a part;
- (c) To encourage the formation of Community Organisations where they do not exist and to assist member organisations in achieving the above objectives;
- (d) To raise funds and to invite and receive contributions from any person or persons whatsoever by way of subscription donation and otherwise provided that the Charity shall not undertake any permanent trading activities in raising funds for its charitable objectives ;
- (e) To borrow or enter into other contracts on behalf of the Charity and subject to such consents as may be required by law charge all or any of the property of the Organisation;
- (f) Subject to such consents as may be required by law to purchase, take on lease or in exchange hire or otherwise acquire any movable or immovable property and right or privileges the acquisition of which the Charity may from time to time think necessary for the promotion of its objectives and to construct, maintain, add to, improve, furnish, equip and alter any buildings or erections necessary for the work of the Charity;
- (g) Subject to such consents as may be required by law to sell, let, mortgage, dispose of or turn to account all or any of the property or assets of the Charity;
- (h) To undertake, execute, manage or assist any charitable trusts which may lawfully be undertaken, executed managed or assisted by the Charity;
- (i) To do all such other lawful things as shall further the above objects.

4. Application of Income and Property

- (1) The income and property of the Charity shall be applied solely towards the promotion of the Objects.
- (2) A Trustee may pay out of, or be reimbursed from, the property of the Charity reasonable expenses properly incurred by him or her when acting on behalf of the Charity.
- (3) None of the income or property of the Charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Charity. This does not prevent:
 - (a) a member who is not also a Trustee from receiving reasonable and proper remuneration for any goods or services supplied to the Charity;
 - (b) a Trustee from:
 - i. buying goods or services from the Charity upon the same terms as other members or members of the public;

- ii. receiving a benefit from the Charity in the capacity of a beneficiary of the Charity, provided that the Trustees comply with the provisions of sub clause (6) of this clause, or as a member of the Charity and upon the same terms as other members;
- (c) the purchase of indemnity insurance for the Trustees against any liability that by virtue of any rule of law would otherwise attach to a Trustee or other officer in respect of any negligence, default breach of duty or breach of trust of which he or she may be guilty in relation to the Charity but excluding:
 - i. fines;
 - ii. costs of unsuccessfully defending criminal prosecutions for offences arising out of the fraud, dishonesty or wilful or reckless misconduct of the Trustee or other officer;
 - iii. liabilities to the Charity that result from conduct that the Trustee or other officer knew or ought to have known was not in the best interests of the Charity or in respect of which the person concerned did not care whether that conduct was in the best interests of the Charity or not.
- (4) No Trustee may be paid or receive any other benefit for being a Trustee.
- (5) A Trustee may:
 - (a) sell goods, services or any interest in land to the Charity;
 - (b) be employed by or receive any remuneration from the Charity;
 - (c) receive any other financial benefit from the Charity, if:
 - i. he or she is not prevented from so doing by sub-clause (4) of this clause; and
 - ii. the benefit is permitted by sub-clause (3) of this clause; or
 - iii. the benefit is authorised by the Trustees in accordance with the conditions in sub-clause (6) of this clause.
- (6)
 - (a) If it is proposed that a Trustee should receive a benefit from the Charity that is not already permitted under sub-clause (3) of this clause, he or she must:
 - i. declare his or her interest in the proposal;
 - ii. be absent from that part of any meeting at which the proposal is discussed and take no part in any discussion of it;
 - iii. not be counted in determining whether the meeting is quorate;
 - iv. not vote on the proposal.

- (b) In cases covered by sub-clause (5) of this clause, those Trustees who do not stand to receive the proposed benefit must be satisfied that it is in the interests of the Charity to contract with or employ that Trustee rather than with someone who is not a Trustee and they must record the reason for their decision in the minutes. In reaching that decision the Trustees must balance the advantage of contracting with or employing a Trustee against the disadvantage of doing so especially the loss of the Trustee's services as a result of dealing with the Trustee's conflict of interest).
 - (c) The Trustees may only authorise a transaction falling within paragraphs 5(a)-(c) of this clause if the Trustee body comprises a majority of Trustees who have not received any such benefit.
 - (d) If the Trustees fail to follow this procedure, the resolution to confer a benefit upon the Trustee will be void and the Trustee must repay to the Charity the value of any benefit received by the Trustee from the Charity.
- (7) A Trustee must absent himself or herself from any discussions of the Trustees in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Charity and any personal interest (including but not limited to any personal financial interest) and take no part in the voting upon the matter.
- (8) In this Clause 4, "Trustee" shall include any person, firm or company connected with the Trustee.

5. Dissolution

- (1) A motion to dissolve The Charity may only be made at an Extraordinary General Meeting called for this specific purpose and to pass the motion at least three quarters of the members actually present shall vote in favour of dissolution.
- (2) If the members resolve to dissolve the Charity the Trustees will remain in office as Charity Trustees and be responsible for winding up the affairs of the Charity in accordance with this clause.
- (3) The Trustees must collect in all the assets of the Charity and must pay or make provision for all the liabilities of the Charity.
- (4) The Trustees must apply any remaining property or money:
 - (a) directly for the Objects;
 - (b) by transfer to any Charity or charities for purposes the same as or similar to the Charity;
 - (c) in such other manner as the Charity Commission for England and Wales ("the Commission") may approve in writing in advance.

- (5) The members may pass a resolution before or at the same time as the resolution to dissolve the Charity specifying the manner in which the Trustees are to apply the remaining property or assets of the Charity and the Trustees must comply with the resolution if it is consistent with paragraphs (a)-(c) inclusive in sub-clause (4) above.
- (6) In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a Charity).
- (7) The Trustees must notify the Commission promptly that the Charity has been dissolved. If the Trustees are obliged to send the Charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send the Commission the Charity's final accounts.

6. Amendments

- (1) The Charity may amend any provision contained in Part 1 of this Constitution provided that:
 - (a) no amendment may be made that would have the effect of making the Charity cease to be a Charity at law;
 - (b) no amendment may be made to alter the Objects if the change would not be within the reasonable contemplation of the members of or donors to the Charity;
 - (c) no amendment may be made to clause 5 without the prior written consent of the Commission;
 - (d) any resolution to amend a provision of Part 1 of this constitution is passed by not less than two thirds of the members present and entitled to vote at a Extra Ordinary General meeting.
 - (e) Any provision contained in Part 2 of this constitution may be amended, provided that any such amendment is made by not less than two thirds of the members present and entitled to vote at Extra Ordinary General meeting.
- (2) A copy of any resolution amending this constitution shall be sent to the Commission within twenty one days of it being passed.

PART 2

7. Management Structure of the Charity

The management structure of the charity shall compose of the following groups;

- (1) The **Trustees** who shall serve in one or the other (not both) of the following groups;
 - (a) **Board of Trustees** whose term of office, election process and responsibilities are provided for in this constitution.
 - (b) **Managing Committee** whose term of office, election process and responsibilities are provided for in this constitution.
- (2) **Member the Charity** (hereafter called the 'Peta Samaj') and whose rights are provided for in this constitution.
- (3) **Sub-committees** whose members are volunteers and are set up to assist in specific tasks working under the control and responsibility of the Managing Committee.

For the avoidance of doubt all individuals that are elected to the Board of Trustees and the Managing Committee are collectively the Trustees of the Charity and hereafter referred to as 'the Trustees'. **Any reference to Trustees is applicable to both the Officers in the Managing Committee and those individuals elected to the Board of Trustees.**

The Trustees shall be bound by the rules and regulations of the Charity Commission prevailing at the time. Individuals who are volunteers on the sub-committees are not Trustees of the Charity.

8. Membership

- (1) Eligibility of Membership

Any regional Leuva Patidar Samaj (Surat, Navsari, & Valsad District) organisation in the United Kingdom representing all the sections of the Community in any specified area not already represented in the Community subscribing to the aims and objectives of the Charity and paying the prescribed affiliation fee shall be entitled to apply to the Managing Committee to be a member of the Charity. (Hereafter an accepted member of the Charity shall be called 'Peta Samaj').

- (2) Peta Samaj Representatives

- (a) The Peta Samaj shall be represented at general meetings by up to two appointed delegates and up to two appointed observers.

- (b) Each delegate must be a committee member of the Peta Samaj. Each delegate once appointed cannot be replaced during the year unless by reason of his or her written resignation. The names of the appointed delegates shall be submitted to the Secretary, at least one week prior to the commencement of the Annual General Meeting.
- (c) Each observer must be a paid up member of the Peta Samaj. Observers shall be appointed by the delegates from their Peta Samaj at the beginning of each meeting and shall not be replaced during the meeting.
- (d) If the appointed delegate is unable to attend a general meeting, they can appoint another member from their Samaj Committee to represent them as long as a written notice to that effect is given to the Secretary of the Charity no less than 24 hours before the meeting.
- (e) The Trustees and the Officers of the Charity cannot simultaneously act as the appointed Delegates or Observers of any Peta Samaj.

(3) Refusal of Membership Application

The Managing Committee may only refuse an application for membership if;

- (a) Acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the application.
- (b) The Managing Committee must inform the applicant in writing of the reasons for the refusal within twenty-one days of the decision.
- (c) The Managing Committee must consider any written representations the applicant may make about the decision. The Trustees' decision following any written representations must be notified to the applicant in writing but shall be final.

(4) Membership is not transferable to anyone else.

- (5) The Managing Committee must keep a register of names and addresses of the Peta Samajs and their nominated delegates which must be made available to any other Peta Samaj upon request.

9. Termination of Membership

Membership is terminated if:

- (1) the Peta Samaj organisation ceases to exist;
- (2) the Peta Samaj resigns by twenty one days written notice to the Charity unless, after the resignation, there would be less than two members;
- (3) any sum due from the Peta Samaj to the Charity is not paid in full within twelve months of it falling due;

- (4) the Peta Samaj is removed from membership by a resolution of the Managing Committee that it is in the best interests of the Charity that its membership is terminated. A resolution to remove a Peta Samaj from membership may only be passed if:
 - (a) the Peta Samaj has been given at least twenty one days' notice in writing of the meeting of the Managing Committee at which the resolution will be proposed and the reasons for why it is to be proposed;
 - (b) the Peta Samaj representatives have been allowed to make representations to the meeting.

10. General meetings.

- (1) The Charity must hold a general meeting within twelve months of the date of the adoption of this constitution.
- (2) An annual general meeting (AGM) must be held in each subsequent year and not more than fifteen months may elapse between successive annual general meetings.
- (3) All General Meetings other than annual general meetings shall be called Special General meetings (SGM).
- (4) The Managing Committee shall call special general meetings on a periodic basis to effectively manage the affairs of the Charity.
- (5) The Managing Committee must call a special general meeting if requested to do so in writing and complying with clause 28 of this Constitution by the majority of the Peta Samajs. The request must state the nature of the business that is to be discussed. If the Managing Committee fails to hold the meeting within twenty eight days of the request, the Peta Samajs may proceed to call a special general meeting but in doing so they must comply with the provisions of this Constitution.

11. Notice of General Meetings

- (1) The minimum period of notice required to hold any general meeting of the Charity is twenty eight clear days from the date on which the notice is deemed to have been given.
- (2) A general meeting may be called by shorter notice, if it is so agreed by all the Peta Samajs entitled to attend and vote.
- (3) The notice must specify the date, time and place of the meeting and the general nature of the business to be transacted. If there are items of business that require member votes then these items must clearly be included in the notice. Issues that require member votes raised at the meeting without prior notice must be put aside and due notice circulated and no votes shall be taken on that issue at the meeting. The notice must state what type of meeting it is i.e. SGM, EGM or AGM.
- (4) The notice must be given to all the Peta Samajs, the Managing Committee and to the Trustees.

12. Quorum

- (1) No business shall be transacted at any general meeting unless a quorum is present.
- (2) A quorum is;
 - 40% or the nearest whole number to 40% of the total Peta Samajs entitled to vote.
- (3) If;
 - (a) a quorum is not present within half an hour from the time appointed for the meeting; or
 - (b) during a meeting a quorum ceases to be present,the meeting shall be adjourned to such time and place as the Managing Committee shall determine.
- (4) The Managing Committee must re-convene the meeting and must give at least seven clear days' notice of the re-convened meeting stating the date time and place of the meeting.
- (5) If no quorum is present at the re-convened meeting within fifteen minutes of the time specified for the start of the meeting the members present at that time shall constitute the quorum for that meeting.

13. Voting at General Meetings

- (1) Each Peta Samaj who is fully paid up shall be eligible to vote at General Meetings through their nominated Delegates and Observers. For the avoidance of doubt this means that a Peta Samaj with outstanding fees either in the current or past accounting periods will not be allowed to vote.
- (2) Appointed Delegates and Observers shall have one vote each.
- (3) Only appointed Delegates and Observers in attendance at a general meeting shall be eligible to vote.
- (4) Proxy votes will not be allowed.
- (5) Individuals serving as Trustees or Officers of the Charity will not be allowed to vote on behalf of any Peta Samaj.
- (6) Voting shall be by a simple majority unless the vote is for provisions set out clause 5 and 6 of this constitution.

- (7) Voting shall be by show of hands by those entitled to vote unless it is decided to vote by ballot. If there is an equality of votes the person who is chairing the meeting shall have a casting vote.
- (8) The Managing Committee and the Board of Trustees shall not be entitled to vote at General Meetings other than the chair in circumstances provided for in clause 13 (7).

14. Chair

- (1) General meetings shall be chaired by the President or the Vice-President in the absence of the President.
- (2) If there is no such person or he or she is not present within fifteen minutes of the time appointed for the meeting a member of the Managing Committee nominated by the Managing Committee shall chair the meeting.
- (3) If there is only one member of the Managing Committee present and willing to act, he or she shall chair the meeting.
- (4) If no Trustee or Officer is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the members present and entitled to vote must choose one of their number to chair the meeting.

15. Adjournments

- (1) The Peta Samajs present at a meeting may resolve that the meeting shall be adjourned.
- (2) The person who is chairing the meeting must decide the date time and place at which meeting is to be re-convened unless those details are specified in the resolution.
- (3) No business shall be conducted at an adjourned meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
- (4) If a meeting is adjourned by a resolution of the Peta Samajs for more than seven days, at least seven clear days' notice shall be given of the re-convened meeting stating the date time and place of the meeting.

16. Officers and Trustees

- (1) The Charity and its property shall be managed and administered by a Managing Committee and a Board of Trustees elected in accordance with this Constitution.

- (2) The Charity shall have the following Officers in the Managing Committee:
 - (a) A President, (the Chair)
 - (b) A Vice President
 - (c) A Secretary
 - (d) An Assistant Secretary
 - (e) A Treasurer
 - (f) A Vice Treasurer
- (3) The term of office for Officers shall be **three** years.
- (4) The Board of Trustees shall have not less than three or more than five Trustees.
- (5) The term of office for Trustees on the Board of Trustees shall be **five** years.
- (6) The maximum number of Trustees inclusive of the Officers and the Trustees on the Board of Trustees shall be eleven.
- (7) No one may be appointed a Trustee or an officer if he or she would be disqualified from acting under the provisions of Clause 19.
- (8) The first Trustees (including Officers) shall be those persons elected as Trustees at the meeting at which this constitution is adopted.
- (9) A Trustee may not appoint anyone to act on his or her behalf at any meeting.
- (10) A trustee on the Board of Trustees may not simultaneously be an Officer on the Managing Committee.

17. The Election of Trustees

- (1) The Charity at the Annual General Meeting shall elect Trustees to fill vacancies in the Managing Committee or on the Board of Trustees as they arise. Each Trustee shall retire with effect from the conclusion of the annual general meeting at the end of his or her term of appointment but shall be eligible for re-election at that annual general meeting.
- (2) The Trustees and Peta Samajs may nominate any person who qualifies with sub-clause 2(a) & 2(b) and who is willing to act as an Officer or a Trustee. Appointment shall be by a majority vote by the Peta Samajs attending and who are eligible to vote.

- (a) To be eligible to be nominated to the position of an Officer, the nominee must;
 - i. Confirm that he or she cannot be disqualified for acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision) and;
 - ii. Be a member of an affiliated Peta Samaj;
- (b) To be eligible to be nominated as a Trustee, the nominee must;
 - i. Confirm that he or she cannot be disqualified for acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision) and;
 - ii. Be a member of an affiliated Peta Samaj;
- (3) No-one may be elected a Trustee at any annual general meeting unless prior to the meeting the Charity is given a notice that:
 - (a) is signed by a Peta Samaj entitled to vote at the meeting or a Trustee of the Charity;
 - (b) states the Peta Samaj's or a Trustees intention to nominate a person as a Trustee of the Board or as an Officer;
 - (c) is signed by the person who is to be nominated to show his or her willingness to be appointed.
- (4)
 - (a) The appointment of a Trustee, whether by the Peta Samajs in general meeting or by the other Officers or Trustees, must not cause the number of Trustees to exceed any number fixed in accordance with this constitution as the maximum number of Trustees.
 - (b) The Peta Samajs or the Trustees may not appoint a person to be a Trustee if a person has already been elected or appointed to that office and has not vacated the office.
 - (c) A Trustee on the Board of Trustees may not simultaneously be an Officer on the Managing Committee.
- (6) Refusal of a nomination to appoint a Trustee of the Charity
 - (a) The members and Trustees may only refuse a nomination if, acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the nomination.
 - (b) The Members and Trustees must inform the nominee in writing of the reasons for the refusal within twenty-one days of the decision.

- (c) The Members and Trustees must consider any written representations the nominee may make about the decision. The Trustees' decision following any written representations must be notified to the applicant in writing but shall be final.

18. Powers of the Trustees

- (1) The Trustees must manage the business of the Charity and have the following powers in order to further the Objects (but not for any other purpose):
 - (a) to raise funds. In doing so, the Trustees must not undertake any substantial permanent trading activity and must comply with any relevant statutory regulations;
 - (b) to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
 - (c) to sell, lease or otherwise dispose of all or any part of the property belonging to the Charity. In exercising this power, the Trustees must comply as appropriate with sections 36 and 37 of the Charities Act 1993, as amended by the Charities Act 2006;
 - (d) to borrow money and to charge the whole or any part of the property belonging to the Charity as security for repayment of the money borrowed. The Trustees must comply as appropriate with sections 38 and 39 of the Charities Act 1993, as amended by the Charities Act 2006, if they intend to mortgage land;
 - (e) to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
 - (f) to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the Objects;
 - (g) to acquire, merge with or enter into any partnership or joint venture arrangement with any other Charity formed for any of the Objects;
 - (h) to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;
 - (i) to obtain and pay for such goods and services as are necessary for carrying out the work of the Charity;
 - (j) to open and operate such bank and other accounts as the Trustees consider necessary and to invest funds and to delegate the management of funds in the same manner and subject to the same conditions as the Trustees of a trust are permitted to do by the Trustee Act 2000; The Treasurer and the President or a trustee from the Board of Trustees shall operate such accounts jointly up to a limit of £5,000. Any sums above this value must be approved by the President and the Treasurer and any two Trustees from the Board of Trustees.
 - (k) to do all such other lawful things as are necessary for the achievement of the Objects;

- (2) No alteration of this constitution or any special resolution shall have retrospective effect to invalidate any prior act of the Trustees.
- (3) Any meeting of Trustees at which a quorum is present at the time the relevant decision is made may exercise all the powers exercisable by the Trustees.

19. Disqualification and Removal of Trustees

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

- (1) is disqualified for acting as a Trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);
- (2) the member organisation to which the trustee belongs ceases to be a member of the Charity;
- (3) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- (4) resigns as a Trustee by notice to the Charity (but only if at least two Trustees will remain in office when the notice of resignation is to take effect); or
- (5) is absent without the permission of the Trustees from all their meetings held within a period of nine consecutive months and the Trustees resolve that his or her office be vacated.

20. Proceedings of Trustees

- (1) The Trustees may regulate their proceedings as they think fit, subject to the provisions of this constitution.
- (2) Any Trustee may call a meeting of the Trustees.
- (3) The Managing Committee may call a meeting of the Managing Committee.
- (4) The Board of Trustees may call a meeting of the Board of Trustees.
- (5) The secretary must call a meeting of the Trustees if requested to do so by a Trustee.
- (6) Questions arising at a meeting must be decided by a majority of votes.
- (7) In the case of an equality of votes, the person who chairs the meeting shall have a second or casting vote.
- (8) No decision may be made by a meeting of the Trustees unless a quorum is present at the time the decision is purported to be made,

- (9) The quorum shall be two or the number nearest to one third of the total number of Trustees, whichever is the greater or such larger number as may be decided from time to time by the Trustees.
- (10) A Trustee shall not be counted in the quorum present when any decision is made about a matter upon which that Trustee is not entitled to vote.
- (11) If the number of Trustees is less than the number fixed as the quorum, the continuing Trustees or Trustee may act only for the purpose of filling vacancies or of calling a general meeting.
- (12) The person elected as the Chair shall chair meetings of the Trustees.
- (13) If the Chair is unwilling to preside or is not present within ten minutes after the time appointed for the meeting, the Trustees present may appoint one of their number to chair that meeting.
- (14) The person appointed to chair meetings of the Trustees shall have no functions or powers except those conferred by this constitution or delegated to him or her in writing by the Trustees.
- (15) A resolution in writing signed by all the Trustees entitled to receive notice of a meeting of Trustees or of a committee of Trustees and to vote upon the resolution shall be as valid and effectual as if it had been passed at a meeting of the Trustees or (as the case may be) a committee of Trustees duly convened and held.
- (16) The resolution in writing may comprise several documents containing the text of the resolution in like form each signed by one or more Trustees.

21. Delegation

- (1) The Trustees may delegate any of their powers or functions to a committee of two or more Trustees but the terms of any such delegation must be recorded in the minute book.
- (2) The Trustees may impose conditions when delegating, including the conditions that:
 - the relevant powers are to be exercised exclusively by the committee to whom they delegate;
 - no expenditure may be incurred on behalf of the Charity except in accordance with a budget previously agreed with the Trustees.
- (3) The Trustees may revoke or alter a delegation,
- (4) All acts and proceedings of any committees must be fully and promptly reported to the Trustees.

22. Irregularities in Proceedings

- (1) Subject to sub-clause (2) of this clause, all acts done by a meeting of Trustees, or of a committee of Trustees, shall be valid notwithstanding the participation in any vote of a Trustee:

who was disqualified from holding office;

who had previously retired or who had been obliged by the constitution to vacate office;

who was not entitled to vote on the matter, whether by reason of a conflict of interest or otherwise;

if, without:

the vote of that Trustee; and

that Trustee being counted in the quorum,

the decision has been made by a majority of the Trustees at a quorate meeting.

- (2) Sub-clause (1) of this clause does not permit a Trustee to keep any benefit that may be conferred upon him or her by a resolution of the Trustees or of a committee of Trustees if the resolution would otherwise have been void.

- (3) No resolution or act of

(a) the Trustees

(b) any committee of the Trustees

(c) the Charity in general meeting

shall be invalidated by reason of the failure to give notice to any Trustee or member or by reason of any procedural defect in the meeting unless it is shown that the failure or defect has materially prejudiced a member or the beneficiaries of the Charity.

23. Minutes

The Trustees must keep minutes of all:

- (1) appointments of Officers and Trustees made by the Trustees;

- (2) proceedings at meetings of the Charity;

- (3) meetings of the Trustees and committees of Trustees including: the names of the Trustees present at the meeting; the decisions made at the meetings; and where appropriate the reasons for the decisions.

24. Annual Report and Return and Accounts

- (1) The Trustees must comply with their obligations under the Charities Act 1993 with regard to:
 - (a) the keeping of accounting records for the Charity;
 - (b) the preparation of annual statements of account for the Charity;
 - (c) the transmission of the statements of account to the Charity;
 - (d) the preparation of an Annual Report and its transmission to the Commission;
 - (e) the preparation of an Annual Return and its transmission to the Commission.
- (2) Accounts must be prepared in accordance with the provisions of any Statement of Recommended Practice issued by the Commission, unless the Trustees are required to prepare accounts in accordance with the provisions of such a Statement prepared by another body.

25. Registered particulars

The Trustees must notify the Commission promptly of any changes to the Charity's entry on the Central Register of Charities.

26. Property

- (1) The Trustees must ensure the title to:
 - (a) all land held by or in trust for the Charity that is not vested in the Official Custodian of Charities; and
 - (b) all investments held by or on behalf of the Charity,is vested either in a corporation entitled to act as custodian Trustee or in not less than three individuals appointed from the Board of Trustees by them as holding Trustees.
- (2) The terms of the appointment of any holding Trustees must provide that they may act only in accordance with lawful directions of the Trustees and that if they do so they will not be liable for the acts and defaults of the Trustees or of the members of the Charity.
- (3) The Trustees may remove the holding Trustees at any time.

27. Repair and insurance

The Trustees must keep in repair and insure to their full value against fire and other usual risks all the buildings of the Charity (except those buildings that are required to be kept in repair and insured by a tenant). They must also insure suitably in respect of public liability and employer's liability.

28. Notices

- (1) Any notice required by this constitution to be given to or by any person must be:
 - (a) in writing; or
 - (b) given using electronic communications.
- (2) The Charity may give any notice to a member either:
 - (a) personally; or
 - (b) by sending it by post in a prepaid envelope addressed to the member at his or her address; or
 - (c) by leaving it at the address of the member; or
 - (d) by giving it using electronic communications to the member's address.
- (3) A member who does not register an address with the Charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Charity.
- (4) A member present in person at any meeting of the Charity shall be deemed to have received notice of the meeting and of the purposes for which it was called.
- (5) Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.
- (6) Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given.
- (7) A notice shall be deemed to be given 48 hours after the envelope containing it was posted or, in the case of an electronic communication, 48 hours after it was sent.

29. Rules

- (1) The Trustees may from time to time make rules or bye-laws for the conduct of their business.
- (2) The bye-laws may regulate the following matters but are not restricted to them:
 - (a) the admission of members of the Charity (including the admission of organisations to membership) and the rights and privileges of such members, and the entrance fees, subscriptions and other fees or payments to be made by members;
 - (b) the conduct of members of the Charity in relation to one another, and to the Charity's employees and volunteers;

- (c) the setting aside of the whole or any part or parts of the Charity's premises at any particular time or times or for any particular purpose or purposes;
 - (d) the procedure at general meeting and meetings of the Trustees in so far as such procedure is not regulated by this Constitution;
 - (e) the keeping and authenticating of records. (If regulations made under this clause permit records of the Charity to be kept in electronic form and requires a Trustee to sign the record, the regulations must specify a method of recording the signature that enables it to be properly authenticated.)
 - (f) generally, all such matters as are commonly the subject matter of the rules of an unincorporated association.
- (3) The Charity in a General Meeting by a simple majority vote has the power to alter, add to or repeal the rules or bye-laws provided that the meeting is called complying with clause 11 and 12 of this Constitution.
- (4) The Trustees must adopt such means as they think sufficient to bring the rules and bye-laws to the notice of members of the Charity.
- (5) The rules or bye-laws shall be binding on all members of the Charity. No rule or bye-law shall be inconsistent with, or shall affect or repeal anything contained in, this constitution.

SIGNATURES

<u>Name</u>	<u>Position</u>	<u>Signature</u>
Kalaben Patel (Kuched)	Head of Trustees	
Sureshbhai M Patel (Bajipura)	Trustee	
Surendrabhai P Patel (Kurel)	Trustee	
Surendrabhai P Patel (Sarai)	Trustee	
Mohanbhai M Raghav (Kuched)	President	
Miteshbhai D Patel (Nava Falia)	Secretary	
Tejasbhai Patel (Vyara)	Vice Secretary	
Kiranbhai Patel (Surkhai)	Vice Treasurer	