

THE RULES/CONSTITUTION OF
NEPALI LITERATURE SOCIETY NEW ZEALAND INCORPORATED
(First Amendment: 31 July 2021)

1. Glossary:

Unless otherwise stated, the following terms in this document should be interpreted as defined below:

NZ: New Zealand

NEC: National Executive Committee

NREC: North Island Regional Executive Committee

SREC: South Island Regional Executive Committee

GM: General Meeting

AGM: Annual General Meeting

SGM: Special General Meeting

DAAM: Dispute and Arbitration Management

Officials: President, Vice-President, General Secretary, Secretary and Treasurer

2. Name

The legal name of the Society shall be- Nepali Literature Society New Zealand Incorporated. In short, the name shall be referred as "Society". In Devanagari script, the name of the Society shall be written as: नेपाली साहित्य समाज न्युजिल्याण्ड इन्कorporेटेड.

The Society will have two regional committees named as: Nepali Literature Society North Island New Zealand and Nepali Literature Society South Island New Zealand. In Devanagari script, the regional level Society shall be written as: नेपाली साहित्य समाज नर्थ आइल्याण्ड न्युजिल्याण्ड and नेपाली साहित्य समाज साउथ आइल्याण्ड न्युजिल्याण्ड

3. Objectives

The objectives of the Society are:

- (1) To promote Nepali language and literature in New Zealand. Nepali literature will cover all the languages spoken by the people of Nepal;

- (2) To encourage young generation in Nepali literature; and
- (3) To organise workshops and online events of Nepali literature.

4. Membership and Cessation of Membership

4.1. Any person interested in Nepali literature can join this Society by completing formalities, as decided by the NEC.

4.2 Any member can resign from membership by giving written notice to the Secretary.

4.3 In case of breaches of Rules by a member, the NEC shall, with an explanation from the Member, forward the case to AGM for decision, with a recommendation.

5. The Funds of the Society and Management

5.1. The funds of the Society shall comprise of

- (1) Annual membership fee,
- (2) Grant and Donations,
- (3) Amount received at its fund raising programme,
- (4) Any income including interest credited by the bank,
- (5) Any amount borrowed or loan received.

5.2. Management of the Funds

- (1) All donations, funds and materials received for the purposes of the Society shall be managed by the Treasurer of the NEC under the supervision of the NEC. The NEC shall have the power to direct or approve the expenditure of the Society's funds in such manner as deemed appropriate in the interest of the Society.
- (2) The NEC shall keep its funds in bank account under the name of the Society. Two officials among three- Treasurer and the President or General Secretary shall operate the account.

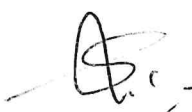
6. Bank Account

The bank account shall be operated by the NEC in the name of the Society. All payments or transfers for the payment of money from such account shall be operated by two authorised persons as specified in Article 5.2 (2).

7. Accounting

The NEC of the Society shall comply with the accounting requirements of the law of New Zealand relevant to the income/expenditure of the Society, with regard to:

- (1) Keeping of accounting records of the Society.
- (2) Preparation of annual financial statements for the Society.



8. Balance date

The Society's financial year shall commence on 01 September of each year and end on 31 August (the latter date is the Society's balance date).

9. Organizational structure

- (1) The Society shall have a National Executive Committee (NEC) and two Regional Executive Committees, called South Island Regional Executive Committee (SREC) and North Island Regional Executive Committee (NREC).
- (2) The Regional Executive Committees shall assist in the matter of membership renewal and new membership motivation.

10. Executive Committees

10.1 The NEC: It shall comprise a President, two Vice-Presidents (one from North Island and One from South Island), a General Secretary, two Secretaries (one from North Island and One from South Island), a Treasurer and up to ten Executive Members.

10.2 The NREC and SREC: They shall have following organisational structure:

1. President
2. Vice-President
3. Secretary
4. Treasure
5. Executive Members up to five

The Vice-President of the NEC from South Island shall be the President of the SREC and the Vice-President of the NEC from North Island shall be the President of the NREC.

The Secretary of the NEC from South Island shall be the Secretary of the SREC and the Secretary of the NEC from North Island shall be the Secretary of the NREC.

The presidents of the NREC and SREC shall form Regional ECs in their respective regions, in consultation with NEC.

11. Duties of Officials of NEC, NREC, SREC

- (1) The President: The President shall function as the Society's Chief Executive Officer and preside over the meetings of the Society, shall perform other duties as the Society may assign to him/her. For NEC, in the absence of the President the duties shall be performed by one of the Vice-Presidents whoever is senior on age basis. For NREC and SREC, in the absence of the Presidents the duties shall be performed by the Vice-Presidents of that region.
- (2) The General Secretary: The General Secretary shall keep the overall records of the Society and conduct the correspondence of the Society in national and international level and shall perform other duties as may be assigned to him/her by the NEC.



- (3) The Secretaries: shall keep the records and conduct the correspondence of the Society in regional level and assist the General Secretary when required.
- (4) The Treasurer of the NEC: The Treasurer of the NEC shall receive and shall have the custody of the Funds of the Society and shall invest and disburse them subject to the rules and under the direction of the NEC.
- (5) The Treasurer of the NREC/SREC: The treasurer of the NREC/SREC shall receive and shall have the custody of the funds of the Society in regional level and shall disburse them subject to the rules of the Society.
- (6) The Officials of the NEC, NREC, SREC shall also perform any duties elsewhere prescribed in rules.

12. Tenure of NEC, NREC, SREC

The tenure of the NEC, NREC, SREC shall be two years. Their term end in the month of November, after a new NEC is elected and hand-over take place during the AGM.

13. Election of NEC

- (1) The NEC of the Society shall be elected every two years. In the circumstances where election could not be held to elect new NEC the AGM/SGM shall comply with the Article 20(4).
- (2) Outgoing officials of the NEC shall not be eligible for re-election to the same post for more than two consecutive terms.
- (3) Any vacancy occurring among the members of the NEC, NIREC, SIREC may be filled by the respective executive committee.

14. Election Committee

An Election Committee formed by the NEC shall conduct election process to form new NEC between September and November. In the circumstances where election could not be held to elect new NEC the AGM/SGM shall comply with the Article 20(4).

15. Election rules

The Election Committee shall formulate Election Rules on the basis of Society's constitution and universal election norms.

16. Special Committees/advisors

The NEC may decide to establish Special Committees as it may, from time to time, deem desirable and may prescribe the duties and powers of such committees.

NEC, NREC, SREC may request any member of the Society to act as advisor/s to provide advice and guidance for the betterment of the Society. These committees/advisors shall be dissolved as per the respective executive committee's discretion.



17. Meetings

- (1) The Annual General Meeting (AGM): It shall be held annually in the month of November. The notice for the AGM shall be issued at least two weeks before the AGM. Any materials related to any major decisions requiring voting in the AGM shall be circulated at least two weeks prior to the AGM. The President shall chair the AGM but in his/her absence the AGM shall be chaired by Vice-President whoever is senior on age basis or senior member of the Society.
- (2) The Special General Meeting (SGM): The President shall have power to convene a SGM whenever he/she deem it advisable to do so. He/she shall also do so on being thereto requested in writing by twenty-five percent of total General Members of the Society. The notice for the SGM shall be issued at least two weeks before the SGM. Any materials related to any major decisions requiring voting in the SGM shall be circulated at least two weeks prior to the SGM. The President shall chair the SGM but in his/her absence the meeting shall be chaired by Vice-President whoever is senior on age basis or senior member of the society.
- (3) Regular meeting of NEC: It shall be held at least once in a three months period.

18. Meeting Attendance

The Officials of the NEC shall be entitled to attend the meetings of the Regional Executive Committee. Similarly, the Officials of the Regional Executive Committee will have right to attend meeting of NEC. Vice-President of the NEC shall have voting rights for the National as well as Regional Executive Committee where he/she is the president. This is also valid for the Secretaries. However, other executive members will have voting rights only in the corresponding Executive Committee.

19. The Proceedings of the AGM/ SGM

The proceedings at the AGM/SGM: It shall include the following unless otherwise decided by the meetings:

- Welcome address;
- Apology;
- Approval of the last General/ Special General Meeting minutes;
- Agenda of the meeting;
- General Secretary to table the report; and
- Treasurer to table financial report, if it is AGM

20. Vote of No Confidence and formation of Ad Hoc committee

- (1) Twenty five percentage of the General Members can request for SGM in written if they want to call for vote of no confidence against the NEC.
- (2) Vote of no confidence against the NEC may be proposed at the General/Special General Meeting by twenty five percent of General Members, excluding NEC members, present at the AGM/SGM. However, such motion will not be forwarded more than once in every year.

- (3) The NEC shall fall vacant upon approval of the no confidence motion by the majority of the General Members present at the AGM/SGM. The AGM/SGM shall then form a five membered Ad Hoc Committee to run its daily administration and form an Election Committee to form a new NEC. The tenure of such an Ad Hoc Committee shall not exceed more than three months. However, the Ad Hoc Committee's tenure shall continue if the remaining tenure of the NEC is less than six months.
- (4) The AGM/SGM shall form an Ad Hoc committee if election of NEC could not be held. The tenure of Ad Hoc committee will be as per 20(3).

21. Dispute and Arbitration Management (DAAM)

- (1) There shall be a DAAM committee formed by NEC in case of indisciplinary or misbehave or violation of society's rules. EC can nominate independent people in the committee for proper investigation and unbiased decision.
- (2) Any member ceases to be a member of the Society if he/she is suspended from the Society by the unanimous decision of the EC on the recommendation of DAAM committee.
- (3) The EC shall not take any decision without giving him/her reasonable opportunity of being heard. The EC shall not discuss and decide in the matter of expulsion of any member if there is no conclusive evidence on the charge of violation of its Rules and of misconduct.
- (4) The EC shall table the expulsion issue(s) to the AGM/SGM. The AGM/SGM shall decide the expulsion issue(s) by the two third General Members present in AGM/SGM. Decision to expel shall come into force from the date of approval by the AGM/SGM.

22. Formulation of Rules

The NEC shall form a sub-committee to formulate rules to run the Society as and when needed. The rules shall come into force after it has been approved by the majority of the General Members presented in the AGM/SGM and registered it to the register office.

23. Alterations

- (1) A Constitution Amendment Committee shall be formed by AGM/SGM to prepare any amendment, alteration, or rescission to the rules. The Constitution Amendment Committee shall submit the amendment to the EC.
- (2) The General Secretary shall inform the General Members about the proposed amendment at least two weeks before the AGM/SGM.
- (3) The EC shall present the amendment in AGM/SGM. The amendment need to be approved by the majority of the General Members present in AGM/SGM.

24. Personal Interest

24.1 No member of the Society shall:

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- (1) Receive any benefit in cash or any good of cash equivalent.
- (2) Have a personal interest in the supply of goods or services to the Society; or
- (3) Acquire or hold any personal interest in the property of the Society.

24.2 However, the society shall reimburse or pay for reasonable expenses incurred in carrying out the duties of the society or the events sponsored by the Society.

25. Co-operation with other Nepalese organisations

The Society shall co-ordinate with other Nepali organisations working actively in different parts of New Zealand and other countries, to achieve the objectives as stipulated in Article 3. The Society shall also maintain harmonious relationship with other literary bodies in New Zealand.

26. Patrons and Honorary Members

The NEC may from time to time recommend people of high standing or those with a long outstanding record of contribution to the development of Nepali Literature or any other person deemed deserving as Patrons and Honorary Members of the Society. The decisions of such nomination shall be approved by the majority of the General Members present in the AGM/SGM.

27. Honour

The NEC may honour/award to a person living in New Zealand, with outstanding contribution to Nepali Literature. The date, time and venue for the award will be decided by the NEC.

28. Winding up or Dissolution

- (1) The Society may wind up voluntarily if two third of its General Members adopt a resolution to wind up at its AGM/SGM. Such adopted resolution requires to be ratified by the votes of two thirds of the General Members present in the AGM/SGM at a subsequent AGM/SGM called for that purpose and held not earlier than thirty days from the date on which the resolution to wind up was adopted.
- (2) The Registrar shall, subject to payment of any debts and liabilities of the Society, hand over all the property of the Society to the New Zealand Red Cross Society in the event of voluntary wind up or dissolution of the Society.

29. Logo

The Society shall have its own logo as approved by the AGM/SGM.

30. The office

The office will be established as per need and decision of Executive Committee.

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31. Common Seal

- (1) The Executive Committee shall provide a common seal for the Society and may from time to time replace it with a new one. Society's current common seal is given below.



- (2) The General Secretary shall have custody of the common seal, which shall only be used by the authority of the committee. Every document to which the common seal is affixed shall be signed by the President and countersigned by the General Secretary or a member of the NEC.

Birendra KC
Vice-President

Rajendra Pandey
Secretary

Shreedhar Basnyat
Advisor