

RULES OF.....

ARTICLE 1: DENOMINATION – DURATION – SEAL

1. The name of the Association shall be.....
.....
and is hereafter referred to as the 'Association'.
2. The duration shall be unlimited.
3. The Association shall have a seal bearing its name.

ARTICLE 2: SEAT

1. The seat of the Association shall be at.....
or at such place as may be subsequently selected by the Managing Committee.
2. Any change of address shall be notified to the Registrar of Associations within fourteen days of such change.

ARTICLE 3: OBJECTS

The objects of the Association shall be

- (a) to promote the welfare of senior citizens; and
- (b) to carry out social and cultural activities

ARTICLE 4: MEMBERSHIP

1. Membership of the Association is open to senior citizens of the age of 55 and over who are residents of Mauritius.
2. The members shall on admission pay an entrance fee of.....rupees and a monthly subscription of..... rupees.
3. Application for membership shall be made in writing and addresses to the Secretary.
4. The decision to accept or to reject any application for membership rests with the Managing Committee which shall assign no reason for such decision.

ARTICLE 5: MANAGING COMMITTEE

1. The Association shall be administered by a Managing Committee composed of.....members of age to be elected annually/every.....years at the Annual General Meeting.
2. Notice of candidature and every motion purported to be on the agenda shall be given in writing to the Secretary of the Association at least seven days before the date for which the meeting is scheduled.
3. The postmark date or any acknowledgement of receipt of the candidature or motion by the Secretary shall be proof of such notification within the required time limit.
4. In case of equality of votes, the candidate concerned shall be designated by drawing of lots unless there is a voluntary withdrawal.
5. The elected or nominated members shall choose from among themselves a President, a Vice-President, a Secretary, an Assistant Secretary, a Treasurer and an Assistant Treasurer who shall hold office until the next election due and shall be re-eligible.
6. The Managing Committee shall meet at least once monthly/quarterly and whenever the President may think it fit.
7. Any.....members present shall form a quorum for a meeting of the Managing Committee.
8. Whenever, despite several attempts, the Managing Committee is unable to meet for any reasons whatsoever or whenever the number of members of the Managing Committee falls below the required quorum for a meeting of the Managing Committee due to resignation, or otherwise, of members of the Managing Committee, the secretary shall cause a special general meeting to be convened and held within one month of the last attempted meeting of the Managing Committee to consider the situation and to take action as appropriate, provided that if the Secretary fails to convene such meeting within ten days of the last attempted meeting of the Managing Committee, any member of the Managing Committee may do so.
9. Notice of any meeting of the Managing Committee shall be given in writing to members at least five days before the date fixed for the meeting.
10. Vacancies in the Managing Committee up to a maximum of three in any year shall be filled in by members designated by the remaining members of the Managing Committee at a meeting.
11. Any vacancy in excess of three shall be filled in by election at a special general meeting convened for the purpose.
12. Any Managing Committee member or the whole Managing Committee may be removed and replaced by a majority vote given at a special general meeting.

13. At a written and motivated request signed by three members of the Managing Committee, the President shall cause a meeting to be convened within a fortnight from the date of the request, failing which the signatories may themselves convene the meeting in accordance with paragraph 9 above.
14. The absence of a member from three consecutive Managing Committee meetings without good and sufficient cause shall give the right to the Managing Committee to replace him by another one.
15. No person who is an undischarged bankrupt, or has, within the three preceding years, been convicted of any offence involving fraud or dishonesty shall be qualified to become an officer or having been so appointed or elected shall continue to act as such.

ARTICLE 6: MODE AND RIGHT OF VOTING

1. Voting at General Meetings shall normally be by show of hands, provided that voting shall be by ballot if such a request is made by at least half of the number of compliant members present at the meeting.
2. Each member shall be entitled to one vote provided he is not in arrears with his membership subscription for more than three months.
3. Voting by proxy at general meetings shall be allowed subject to Section 28(3) of the Registration of Associations Act and subject to paragraphs 4 and 5 below.
4. For the taking of a “**special resolution**” in accordance with section 30 of the Registration of Associations Act, a member may vote by proxy through another member but no member shall vote as proxy for more than twenty members.
5. For any purpose other than the taking of a “**special resolution**”, no member shall vote by proxy through another member for more than nine members.

ARTICLE 7: GENERAL MEETINGS

1. The Annual General Meeting shall be held not later than three months after the accounting date.
2. A special general meeting shall be called whenever:
 - (a) the Managing Committee so decides;
 - (b) there is a written and motivated request signed by not less than ten percent of the number of compliant members, in which case the Managing Committee shall cause the meeting to be convened and held within one month from the date of request.
3. If the Managing Committee fails to comply with paragraph 2(b) above, five signatories or ten percent of the signatories, whichever is the lesser, may convene and hold the meeting as provided for in paragraph 6 below.

4. Subject to the provision of the Registration of Associations Act, one fifth of the number of compliant members shall constitute a quorum for any general meeting.
5. In case there is no quorum:
 - (a) the Annual General Meeting or the special general meeting convened under paragraph 2(a) above shall be postponed for a fortnight and at that subsequent meeting the business of the day shall be proceeded with not withstanding the number of members present.
 - (c) all other special general meetings shall be absolutely dissolved.
6. Notice of any general meeting with the agenda shall be given in writing by the Secretary to the members **at least** fourteen (14) days before the date on which the meeting is scheduled.

ARTICLE 8: TERMINATION OF MANAGING MEMBERSHIP

1. The Managing Committee may terminate the membership of any member in case of misconduct.
2. In every case the defaulting member shall be convened before the Managing Committee where he shall:
 - (a) have the right to be heard and to lay his defence;
 - (b) be entitled to call witnesses to depone in his favour;
 - (c) send his defence in writing if he so wishes;

provided that if a member is summoned to appear before the Managing Committee and fails to do so, the Managing Committee may take a decision in the matter.
3. Any decision taken by the Managing Committee shall be notified to the defaulting member by registered mail.
4. The defaulting member shall have the right to an appeal against any decision taken by the Managing Committee by sending his appeal to the Secretary by registered mail.
5. Any appeal under paragraph 4 above shall be sent to the Secretary not later than fifteen (15) days after the receipt of the notification of the decision of the Managing Committee by the member concerned, provided that no appeal shall be considered after this time limit has expired.
6. On receiving an appeal under paragraph 5 above, the Managing Committee shall cause a special general meeting to be convened and held within one month of receipt of the notice of appeal failing which the charges leveled against the defaulting member shall automatically lapse.

7. The decision of the special general meeting concerning the appeal shall be final.
8. Any member, who is in arrears with his membership subscription for more than three months without sufficient cause being shown within one month after receipt of a letter from the Secretary or the Treasurer, shall have his name crossed out from the “**Register of Member**” by a decision of the Managing Committee.
9. A member who resigns or who is expelled forfeits all his rights to any property of the Association and to any contribution, monetary or otherwise, he may have made to the Association.

ARTICLE 9: POWERS OF THE COMMITTEE

1. The Managing Committee is empowered:
 - (a) to invest the funds of the association in recognized securities;
 - (b) to lease or to take on lease or to let movable or immovable property;

provided that the sanction of a general meeting shall first be sought for any transaction exceeding one thousand rupees per item in value or four thousand rupees in any one year (or for any amount that may subsequently be provided for in the relevant law);

 - (c) to accept donations and legacies from any source provided that such donations and legacies be free from any conditions detrimental to the objects of the Association.
2. The Managing Committee shall not be empowered to dispose, pledge, mortgage or charge any property worth more than three thousand rupees (or any amount that may subsequently be provided for in the relevant law) and belonging to the Association unless such transaction has been approved by “**special resolution**” in accordance with Section 30 of the Registration of Associations Act.

ARTICLE 10: DUTIES OF THE PRESIDENT

1. The President shall:
 - (a) preside over all meetings of the Association;
 - (b) at the Annual General Meeting, submit a report on the working of the Association for the preceding accounting period, together with a statement of accounts drawn up and signed by the Treasurer and certified by the Auditor(s).
2. In the absence of the President, the Vice President shall preside over any meeting.
3. In the absence of both the President and the Vice President, any committee member chosen from among and by the other committee members present at a meeting shall preside over the meeting.

4. In case of equality of votes, the presiding member shall have a casting vote.
5. The Vice president shall exercise the same powers and rights, and assume the same responsibilities as those of the President, in the absence of the latter.

ARTICLE 11: DUTIES OF THE SECRETARY

1. The Secretary shall:
 - (a) convene all meetings of the Association.
 - (b) Draw up the minutes of proceedings of meetings which shall after confirmation at the ensuing meetings be signed by him and the presiding member.
 - (c) Keep a Register of Members in which shall be recorded:
 - (i) the names and surnames of each member;
 - (ii) his address;
 - (iii) the date of his admission;
 - (iv) his date of birth;
 - (v) such other particulars as the Managing Committee may require.
 - (d) Have the custody of the records of the Association.
2. The Secretary of the Association shall, not later than three months after the accounting date in every year, forward to the Registrar of Associations a return containing:
 - (a) a certified copy of the statement of the Association required to be submitted to the Annual General Meeting under Section 22 of the Registration of Associations Act, together with a declaration specifying whether the statement has been approved by the meeting;
 - (b) a statement of the names and postal addresses of the officers of the Association;
 - (c) a return of the membership of the Association as on the 31st December of the preceding year; and
 - (d) where the Association has amended its rules during the accounting period, a copy of the Association as amended.
3. The Secretary shall, within fourteen days of any change among the officers or in the address of the office of the Association, give written notice of the change to the Registrar of Associations.
4. In case of absence, the Secretary shall be replaced by the Assistant Secretary who shall exercise the same powers and rights, and assume the same responsibilities as those of the Secretary.

ARTICLE 12: DUTIES OF THE TREASURER

1. The Treasurer shall:
 - (a) have the custody of all the account books of the Association;
 - (b) receive all sums of money due or accruing to the Association and deliver receipts thereof;
 - (c) within the least possible delay, pay into one or more of the local banks, chosen by the Managing Committee, the money received by him;
 - (d) be allowed to keep in his possession a sum not exceeding one thousand rupees (Rs1,000), as petty cash;
 - (e) lay every month/quarterly before the Managing Committee a statement showing the financial transactions of the Association for the previous month;
 - (f) keep a “**Register of Members**” as prescribed by law;
 - (g) submit at the monthly meeting a list of members who have failed to pay their subscription
 - (h) Prepare the statements of accounts;
 - (i) Effect all payments exceeding one hundred rupees by cheque;
 - (j) Produce his book for examination whenever required by the President or by the Auditor(s);
 - (k) In conjunction with the President sign all cheques, deeds and other documents of the Association;
 - (l) Keep a “**Record of Revenue**” in the form prescribed by law and a cash book showing its receipts and payments;
 - (m) Once a year not later than one month after the accounting date prepare and submit to the Managing Committee a statement of the receipts and payments of the Association in respect of the accounting period and of the assets and liabilities of the Association existing on the accounting date;
 - (n) On his resignation or on vacation of his office or whenever required so to do by the rules of the Association or the Registration of Associations Act, render to the Association a true account of money received and paid by him since his appointment or since he last rendered an account, whichever occurs later.

2. In case of absence, the Treasurer shall be replaced by the Assistant Treasurer who shall exercise the same powers and rights, and assume the responsibilities as those of the Treasurer.

ARTICLE 13: APPOINTMENT AND DUTIES OF THE AUDITOR(S)

1. Two Auditors shall be appointed at the Annual General Meeting, and shall need the approval of the Registrar of Associations, if they are not professionally qualified.
2. The Auditors shall hold office for.....year(s) concurrently with the term of Office of the Managing Committee.
3. The Auditors may be removed and replaced by a decision of a general meeting.
4. The Managing Committee shall upon written request by the Auditors submit the accounts of the Association for audit.
5. The Auditors shall:
 - (a) make a thorough examination of all the books and documents in the custody of the Treasurer at least once yearly and shall forthwith report to the President and any error or omission detected in the course of the examination;
 - (b) verify and certify all statements of accounts prior to their being submitted to the Annual General Meeting;
 - (c) draw an inventory of all the belongings of the Association at least once yearly.

ARTICLE 14: SECURITY BOND

1. The President, the Vice President, the Treasurer and the Assistant Treasurer shall each become bound with two sureties in the sum of one thousand rupees (Rs1,000) jointly and severally for the true performance of their duties.
2. The security bonds shall be filed in the office of the Registrar of Associations without undue delay.

ARTICLE 15: KEEPING AND INSPECTION OF BOOKS

1. All books of the Association shall be kept in English or in French.
2. The books shall be open to inspection to any person having an interest in the funds of the Association.
3. All books and documents shall be kept at the seat of the Association.

ARTICLE 16: ACTIONS BY OR AGAINST THE ASSOCIATION

1. The Association shall act, sue and shall be sued, implead or be impleaded and shall do all other acts under its corporate name through its Secretary
2. Whenever the Association shall be sued or be impleaded and whenever it shall be necessary to serve notices, summonses or any other legal process, judicial or extra judicial, upon the Association, service upon the Secretary shall be good and sufficient upon the Association.

ARTICLE 17: AMENDMENTS, AMALGAMATION AND WINDING UP

1. No amendments of these rules shall be effected except by “**special resolution**” taken in accordance with Section 30 of the Registration of Associations Act and such amendments shall not be implemented until and unless registered by the registrar of Associations.
2. The decision to dissolve the Association or to amalgamate it with another association shall be taken by “**special resolution**” in conformity with law.
3. In the event of winding up of the Association, all its property, movable or immovable, its cash at bank and in hand, shall be disposed of in conformity with law.
4. In compliance with the Registration of Associations Act, the Association shall, on its formation designate a registered Association to which in the event of the Association being wound up, its remaining property shall be transferred.
5. Where the Association has taken a “**special resolution**” that it shall be wound up, the Secretary shall, within fourteen days after the resolution has been approved, give written notice of the resolution to the Registrar of Associations and lodge with him:
 - (a) a certified copy of the minutes of proceedings of the general meeting at which the “**special resolution**” to wind up the Association has been approved;
 - (b) a detailed statement of the assets and liabilities of the Association; and
 - (c) a declaration signed by him that Section 30 of the Registration of Associations Act has been complied with.
6. In the event of the Association being required to be wound up, all its property shall vest in the Registrar of Associations who shall proceed as laid down in Section 18 of the Registration of Associations Act.

ARTICLE 18: SIGNING OF CHEQUES, DEEDS AND OTHER DOCUMENTS

1. All cheques, deeds and other documents legally binding the Association shall be signed jointly by the President and the Treasurer.

2. In the absence or incapacity of the President or the Treasurer, these documents shall be signed by the Vice President or Assistant Treasurer respectively.

ARTICLE 19: MISCELLANEOUS

1. The accounting date of the Association shall be 31st December and its accounting period shall be from 1st January to 31st December except for the first year, from the date of its registration to 31st December.
2. In these rules, words importing the masculine include feminine unless otherwise required by the context.
3. Any member who resigns or who is expelled shall have no claims to a refund of any contribution, monetary or otherwise, made by him to the Association in any way.
4. The Association may be affiliated to any other association, or form part of any federation of associations, provided that on so doing such affiliation is not detrimental to the objects of the Association.
5. Any dispute between the Association and any of its member or any person's claim by or through a member shall be settled by a special general meeting.
6. The handing over of all books, documents cash in hand etc, shall be effected within two weeks of the date of appointment of the newly elected officers.

Date:

Signature:

(Secretary)

Name:

(Secretary)