

CONSTITUTION OF THE IRELAND TAMIL SANGAM

Approved/Written/Adopted by Office Bearers / Executive Committee

Date of Adoption : 29/05/ 2021

Signatories

President: Venkat Annasamy

Vice President: Nihar Batcha

Secretary: Jothi Kumar

Deputy Secretary: Rajesh Lakshmanan

The Treasurer: Vijin Johnson

PREAMBLE

That the Ireland Tamil Sangam, also to be known informally, by the acronym ITS

i) Shall foster, cultivate, promote, social integration, well being and unity of the Tamil people living in Ireland by promoting the Tamil language, culture, arts and Ethos.

ii) Shall work towards exchanging of ideas and understanding between Tamil people and other cultures in the spirit of common brotherhood

iii) Shall promote fellowship and provide, organize and participate in cultural and social events/ functions in Ireland.

Purpose of the Constitution

- a) This constitution provides the provisions for governing the assets /administration of the Ireland Tamil Sangam so as to make organization consistent with Irish Law requirements of a Registered entity.
- b) Regulations affecting the governance of the Sangam are contained in a separate document entitled Bylaws.

Article I : Name and Location

- a) The Name of this organisation shall be the Ireland Tamil Sangam Limited by guarantee, hereinafter referred to as “Tamil Sangam”
- b) The Registered Location is 70 Wyattville Park, Cabinteely, Dublin 18 and the Registration Number is 631988.

Article II : Objectives

- a) **Assimilate and Educate** – To educate, inculcate discipline among Tamil children and youth and also promote interest in learning the Tamil language with the objective of making them exemplary, admirable role models in society.
- b) **Welfare and Well-being** – To provide support and assistance to the members of the Tamil community at all times; to provide humanitarian aid to ensure the well-being of the Tamils in Ireland and rest of the world.
- c) **Societal Integration and Participation** – To promote an environment that fosters the spirit of volunteering and service to one another.
- d) **Culture and Practices** – To pass on to the next generation the importance of Tamil history, arts, music and culture and serve as the platform that enables them to understand the rich quality of Tamil culture and tradition both in Ireland and around the world.
- f) **Secular and Non Affiliated** –That ITS will be a secular association and will not be affiliated to any particular religion, political party or cause.

Article III : Membership and Fees.

- a) **Who can become Member?** Any person or family of Tamil origin or Tamil language who promises to uphold the objectives of the constitution /bylaws of the ITS enshrined herein can become a member.
- b) **Types of Membership** The membership of the Tamil Sangam shall consist of
 - i) Student Membership

- ii) Senior Citizen Membership,
- iii) Single Membership
- iv) Family Membership
- v) Family Fixed Term Membership.

c) Student Membership: Any individual who is a verified full time or part time student and who has paid annual Student membership fee as determined by the Office Bearers will be admitted as Student member.

d) Senior Personal Membership: Any individual who is 65 and above shall be considered as Senior citizen and appropriate fees as decided by office Bearers will be levied.

e) Single Membership: Any individual who has paid annual Single membership fee as determined by the Office Bearers shall be admitted as Single member.

f) Family Membership: Any family who has paid annual Family membership fee as determined by the Office Bearers will be admitted as Family member. All children, elders and other legal dependents who are supported by the family are considered as Family Member.

g) Fixed Term Membership: Any family who has paid a fixed term membership fee as determined by the Office Bearers will be considered under category called Fixed Term Membership. All children, elders and other legal dependents who are supported by the family are considered as being eligible under the said Fixed Term Membership to partake in the activities of ITS. Also vide See V(b) below about Fixed Term Membership.

Article IV : Management of Funds

a) The schedule of annual dues shall be established by the Executive Committee and can also be modified by the Executive committee with two thirds of the Executive Committee voting in favor.

b) The schedule of fees and dues shall be set forth in the By-laws for each type of membership.

c) Funds collected as Fixed Term Membership shall be held as designated fund and released proportionately every financial year.

Article V : Management

a) The corporate powers of the Tamil Sangam shall be vested with the Executive Committee and such powers are subject to the constitution of the Tamil Sangam.

b) The Executive Committee shall provide Bylaws which shall prescribe regulations for the exercise of the corporate powers vested in it.

c) The Office Bearers shall make an annual report to the members, which shall include a financial statement and such other matters as may be deemed appropriate.

d) **Removal Of Membership** –The Executive Committee shall have the power to remove any of the elected members by three fourths majority of the current Executive Committee when the said elected member

h) Violates the constitution and involves in such activities that brings Disrepute and thereby defames the ITS

ii) Or acts in manner that impedes the regular activities of the ITS.

iv) Or being absent from meetings for four times or more consecutively without explanation.

iv) Motion to remove an elected member shall be submitted to the President with a simple majority endorsement (email or signed petition) by the Committee.

v) The President shall convene a special meeting of the Executive Committee to discuss and vote on the motion and execute the dismissal.

vi) The vacated office shall be filled per the required article.

Article VI : Nomination and Election of Officers

a) The Board of Directors(BOD) of the Tamil Sangam shall comprise of The President, The Secretary, and The Treasurer. They are directly elected by Members through an annual election held by the ITS.

b) The Vice President and The Deputy Secretary Shall Be Nominated by the Executive Committee to the Election Committee and Selected/approved by the BOD.

c) The Office Bearers shall comprise of The President, Vice President, The Secretary, Deputy Secretary and The Treasurer.

d) County Leads are directly elected by county members from each of Ireland's counties through ITS annual election.

e) The Executive Committee of the Tamil Sangam shall comprise of all elected members of Office Bearers, all elected county leads and the nominated Vice President and Deputy Secretary.

f) All Committee members shall be elected by members of good standing as defined in article III.

g) Election of Office Bearers and county leads shall be, done by a system of secret ballot conducted by the Election Committee.

h) Any vacancy occurring in the Executive Committee shall be filled by nominations made by the President and or by the executive Committee of the Tamil Sangam and approved by a two third majority of the Executive Committee.

- i) Members of the Executive Committee not in attendance are required to submit a proxy vote to the Secretary of the Administration Committee before the roll-call.
- j) Any Office Bearers having served two full consecutive terms in the office to which one was elected or nominated shall be ineligible for re-election to the same office for the third consecutive term.
- k) The above requirements could be waived by the Election Committee with the approval of the two thirds majority of the Executive Committee if qualifying candidates are not available.
- l) In the case when any office bearer position is not filled during the election proceedings, the President will treat this as a vacancy and shall follow procedures laid under the required article to fill the position.
- m) Qualifications for running for the office: A candidate for any of the Office Bearer position or the Executive Committee position must be a member in good standing as defined by the required article.

Article VII : Meetings

- a) The Tamil Sangam shall hold at least one General Body Meeting during the term of Committee.
- b) Invitations / designated notice shall be sent to all Officer Bearers at such place and time as provided for in the Bylaws.
- c) At the General Body meeting, 25% voting members shall constitute a quorum.
- d) Meeting of the Office Bearers shall be held at least once in two weeks and Executive Committee Members once a month, virtually.
- e) A quarterly face to face meeting shall take place and the venue may be determined by the Executive Committee.
- f) More than 50 percent of the Executive Committee shall constitute a quorum at any meet

Article VIII : Amendments To The Constitution OR Bylaws.

- a) For moving any amendments, to be submitted to the Secretary, sufficient lead time should be provided, the minimum lead time being 30 days before a General Body Meeting.
- b) The proposed amendment to the Constitution shall be submitted to the Secretary in written petitions signed by at least 50% of the members.
- c) The Proposed Amendment must be reviewed and draft submitted by the Secretary to Office Bearers/ Executive Committee Members 15 days prior to the General Body meeting.
- d) The proposed amendment will be voted at the General Body Meeting by eligible members of the Tamil Sangam and the definition of eligibility being two consecutive years of PAID membership, including the current calendar year.

e) Ballots for such amendments shall be counted at the General Body Meeting by the Secretary, President and Vice President and a report thereafter shall be submitted to the General Body.

f) For the adoption of any amendment to the Constitution or Bylaws, two thirds of the eligible members are required to be present and vote in favour at the General Body Meeting.

g) Any amendment which has been adopted shall become effective immediately and communicated to all members of the Tamil Sangam.

Article IX : No Harm Clause

b) The Executive Committee (Office Bearers and County Leads) are not individually or collectively liable for any law suit(s) brought by any member, or any organization or any individuals with respect to the activities of the Tamil Sangam.

c) Tamil Sangam, as an organization, will defend the Executive Committee on such actions and meet the legal expenses.

Article X : Dissolution

a) Approval from the previous BODs is required to carry out the dissolution process.

b) Upon the dissolution of the organization, the Executive Committee (Office Bearers and County Leads) shall after paying or making provision for the payment of all the liabilities of the organization,

c) Dispose of all the assets of the organization and realizations of such disposal shall be donated to such organizations that qualify as tax exempt under Irish Revenue Laws and operating for the purpose of community service, charitable, educational or literary purposes

d) The identification of such organization shall be at the discretion of the Committee Members.

e) Any residual assets not disposed of shall be the responsibility of the court in the county that such assets or principle office is located.

f) The distribution of the realization of any disposal is left to the discretion of the County Court in whose jurisdiction the assets/principle office is located.

Article XI : Definition of Conflict Of Interest

a) A conflict of interest is any situation in which a committee member's personal interest or loyalties could be seen to prevent the member from making decision in the best interest of ITS.

b) This personal interest may be direct or indirect, and can include interest of a person connected to the Ireland Tamil Sangam.

Article XII : Child Safe Guarding Policy

Ireland Tamil Sangam shall follow the National Guidelines on Child Safe Guarding. See the attached Guideline with Tusla, a national Child and Family agency: www.tusla.ie

ADDENDUM

Article XIII : Standard clauses as per the Irish Charity Regulator.

XIII.1.1. Any income generated by the exercise of these powers is to be applied to the promotion of the Main Object:

XIII.1.2. To undertake, accept, execute and administer, without remuneration, any charitable trusts.

XIII.1.3. To collect and to receive voluntary contributions, donations or bequests or money for any of the purposes aforesaid.

XIII.1.4. To make application on behalf of the Company to any authority, whether governmental, local, philanthropic or otherwise, for financial funding of any kind.

XIII.1.5. To establish and maintain links with international and national organisations having similar objectives.

XIII.1.6. To do all such other lawful things as the Company may think incidental and conducive to the foregoing Main Object.

XIII.2. Income and Property

XIII.2.1. The income and property of the Company shall be applied solely towards the promotion of Main Object(s) as set forth in this Constitution. No portion of the Company's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to members of the Company.

XIII.2.2. No Director shall be appointed to any office of the Company paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Company

XIII.3. Additions, alterations or amendments

The Company must ensure that the Charities Regulator has a copy of its most recent Constitution. If it is proposed to make an amendment to the Constitution of the Company which requires the prior approval of the Charities Regulator, advance notice in writing of the proposed changes must be given to the Charities Regulator for approval, and the amendment shall not take effect until such approval is received.

XIII.4. Winding Up

If upon the winding up or dissolution of the Company there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Company. Instead, such property shall be given or transferred to some other charitable institution or institutions having main objects similar to the main objects of the Company. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Company under or by virtue of Clause 6 hereof. Members of the Company shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object with the agreement of the Charities Regulator. Final accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.

XIII.5. Limited Liability

The liability of the members is limited.