

**CONSTITUTION OF THE “BANGLADESH-CANADA
ASSOCIATION, WINDSOR-ESSEX.**

WINDSOR, ON, CANADA

December 1, 2018

CONSTITUTION OF THE BANGLADESH-CANADA ASSOCIATION, WINDSOR-ESSEX (BCAWE)

Preamble

The articulation of any socio-cultural element can enlighten as well as enrich a community and its cultural heritage. The cultural heritage of Canada and the equal opportunity and freedom of Association as enshrined in the **Canadian Charter of Rights and Freedoms**, have in many ways expanded the scopes for expression of diverse culture and ideas and thus have enhanced opportunities for participation in the **mainstream Canadian culture** through various programs and activities designed to benefit the members of the community.

The efforts of the Government of Canada in this regard are note-worthy and unmatched in the global history of the present time. Also the concerted efforts and co-operation from all streams of the society are important to enrich the government efforts. Hence, an Association in the name and style of the “Bangladesh-Canada Association, Windsor-Essex (BCAWE)” is formed to complement the efforts of the Government of Canada.

CONSTITUTION OF THE BANGLADESH-CANADA ASSOCIATION, WINDSOR-ESSEX.

1. NAME

The name of the Association is the Bangladesh-Canada Association, Windsor-Essex (L'Association de Canada de Bangladesh, Windsor Essex) hereinafter called "the Association", or "BCAWE" or Bangladesh-Canada Association, Windsor-Essex (BCAWE).

2. OBJECTIVES

The objectives of the Association are to:

- (a) Undertake programs and activities to promote Bangladeshi culture;
- (b) Present the unique cultural heritage of Bangladeshi Canadians to the community through various socio-cultural activities;
- (c) Promote relationship of co-operation and friendship among different segments of the population through various socio-cultural programs;
- (d) Initiate educational and cultural programs for the children, youth and the senior members of the community;
- (e) Encourage greater participation of women and children in cultural activities of the community;
- (f) Initiate programs/activities to inspire the community members to be the active contributing members to the mainstream of Canadian culture;
- (g) Take initiatives to establish, or to secure the establishment of, a Community Centre (hereinafter called "the Centre") and to maintain and manage the same in furtherance of the above objectives; and
- (h) Promote such other educational and cultural activities as may from time to time be determined.
- (i) Engage seniors in Computer learning, Arts, Music and social welfare projects.
- (j) To implement projects that help seniors to overcome loneliness and that ensure their more social involvement with the community.
- (k) Involve youth and children in volunteer activities, help them to take a leadership role and educate them how to overcome barriers of social and emotional skills.

The Association shall be non-party in politics, non-sectarian in religion and not for profit.

3. THE AREA OF BENEFIT

Greater Windsor-Essex County and the adjoining area.

4. POWERS

(1) In furtherance of the mentioned objectives, but not otherwise, the Association shall have power to:

- a) Bring together in conference representatives of voluntary organisations, Government departments, statutory authorities and individuals;
- b) Arrange and provide for, either alone or with others, the holding of exhibitions, meetings, lectures, classes, seminars or training courses, and all forms of recreational and other leisure-time activities;
- c) Collect and disseminate information on all matters relating to its objects, and to exchange such information with other bodies having similar objectives whether in Canada or elsewhere;

- d) Write, print or publish, in whatever form, such papers, books, periodicals, pamphlets or other documents, including films and recorded material, as shall further its objectives, and to issue or circulate the same;
- e) Raise funds and invite or receive donations and contributions, whether by subscription or otherwise, PROVIDED THAT the Association shall not undertake or in any way engage in any trading activities in raising funds for its objectives;
- f) Support any associations or institutions formed for all or any of the objects; and
- g) Do all such other lawful things as shall further the objectives of the Association.
- h) Under clause 7b, terminate or suspend the membership and/or proclaim ineligibility of future membership of organizer(s) of program(s) conflicting with the Association's event(s) announced by the Association's President and the Executive Committee (EC) at the beginning of the year.

5. MEMBERSHIP

Any individual of Bangladeshi origin who, temporarily or permanently, lives in the Windsor-Essex County and the adjoining areas of Canada, and who has never resigned from the general membership under Article 7a nor disciplined by the EC under Article 7b, will have the right to be a General Member of BCAWE. All General Members of the BCAWE will exercise the rights and privileges as other registered Members except for Clause (5) (I) (i) and (ii). All the General Members of the BCAWE will assume the right to participate in the dinner, cultural events, or any other activities organized by the BCAWE thereof, by paying the due event subscription as it would be decided by the EC separately for separate event. Students enrolled in any institutions are eligible for Student Membership. Membership can be paid at any BCAWE event or at the BCAWE office or electronically in cash or by cheque to: Finance Secretary and Treasurer of BCAWE.

Membership criteria and classification:

- (I) Individuals aged eighteen years and older that live within the area of benefit and never resigned from the general membership under Article 7a nor disciplined by the EC under Article 7b are eligible to be a *Member*. The Members may be classified as:
 - i) **Full Member** – it is a regular registered membership at BCAWE through a properly completed and signed “Membership Application Form” introduced by BCAWE, shown in Appendix 4, paid and accepted by the President. This membership will be renewable on a yearly basis. The EC shall determine the membership fees for the *Full Members* as well as the procedure for renewal of the membership.

Full Members who live in Windsor-Essex County will have the right to be Candidates for the EC and will have power to vote at the EC election, SGM and AGM.
 - ii) **Life Member** – any individual interested to become a Life Member of BCAWE shall apply to the EC filling up “Membership Application Form” and stating his/her intention to be a life member. The EC shall then consider the application. The EC shall determine the one-time membership fees for the life members. *Life Members who live in the Windsor-Essex County will enjoy all the rights and privileges of the Full Members and will be eligible to be Candidates for the EC and will have power to vote at the EC election, SGM and AGM.*
 - iii) **Honorary Member** – Honorary membership shall be open to an individual who has a distinguished contribution and service for the BCAWE, and still interested in furthering the objectives of the Association. The EC may award the Honorary Membership to an individual with a two-thirds majority vote. Honorary members should never be involved with any activity conflicting with the BCAWE goals, and objective. The EC will carefully review the member's contributions for the association. The EC may cease Honorary Membership from anyone with a two-thirds majority vote if he/she is engaged

against BCAWE core values, interests, and activities. In such a case, President or General Secretary will should notify the individual the reasons of cessation of his/ her Honorary Membership through in writing. Honorary Members are not required to pay the annual membership subscription, if the member does not want the voting privileges. Honorary Members who live outside the area of the Windsor-Essex County will not have voting right. Honorary Members who live in the Windsor-Essex County and who have paid annual membership fees for every year since their induction as the Honorary Members or who have paid Life Membership fees will enjoy all the rights and privileges of the Full Members.

- (iv) Associate Member: Any Bangladeshi who lives in the area of benefit or outside, or who is a Bangladeshi ex-Windsorite, who have never resigned from the general membership under Article 7a nor disciplined by the EC under Article 7b, shall be known as the Associate Member. An Associate Member may attend any General Meeting as observers, and speak with the permission of the chair of the meeting, but shall not have the right to vote at the EC election, SGM and AGM. Associate Members do not have any membership fees.
- v) Junior Membership: Any Bangladeshi aged less than eighteen years, whether living within or outside the area of benefit, shall be known as Junior Members and who may be admitted to membership subject to such conditions as the EC determines. They shall have the power to elect two of their members to represent them in any BCAWE SGM, and AGM as an observer without the right to vote.

(II) Individual members admitted under **Clause 5 (I) (i) (ii)** who enjoy all the rights and privileges of the Full Members shall hereafter be referred to as the “*members with the powers to vote.*”

6. MEMBERSHIP SUBSCRIPTIONS

All individual members of the Association shall pay subscriptions as determined by the EC from time to time. The EC in consultation with the General Committee shall determine the membership fees. Membership year coincides with the calendar year. Rights and privileges of Full Members at any time of a year are available to those who satisfies the criteria of Full Members stated in Article 5 (I) (i) and who have paid the membership fee for that calendar year.

Yearly Membership Fee / Subscription:

Single	→	To be decided / declared
Family	→	To be decided / declared
Student Single	→	To be decided / declared
Student Family	→	To be decided / declared

7. RESIGNATION, TERMINATION AND REPLACEMENT OF MEMBERSHIP POSITION

- (a) Any non-EC member of the Association may resign his/her membership by giving a written notice to that effect to the President or General Secretary of the Association. The resignation will be accepted per his/her notice and no formal acceptance is needed from the EC. President or General Secretary will inform the EC and remove the member from the BCAWE member data base.
- (b) The EC may, by a resolution of condemnation passed at a meeting of the EC, terminate or suspend the membership of any member, if in its position, the conduct of the member, is prejudicial to the interests and objects of the Association, PROVIDED THAT the individual shall have the right to be heard by the EC before the final decision is made. The EC may proclaim ineligibility of future membership of

organizer(s) of program(s) conflicting with the Association's event(s) announced by the Association's President and the EC at the beginning of the year.

- (c) The EC may call a special meeting if there comes any written complaint against any member of the EC by one third of the general members (paid member) of the association. In that special meeting, EC will discuss about that issue. If the EC finds truth in the written statement, they would cancel the position of the accused person from the committee. That position would be replaced by vote at the Special General Meetings of the Association.
- (d) Between two EC elections, if any position becomes normally vacant other than the termination then the vacant position will be filled-up through the consensus/majority opinion in the EC meeting.
- (e) The EC may create further positions through consensus in the EC meeting that may facilitate organizing EC's activities towards better advancement of the BCAWE. Approval must be taken through an EC meeting or in SGM or AGM, whichever comes first.

8. ANNUAL GENERAL MEETINGS AND SPECIAL GENERAL MEETING

(a) Annual General Meetings (AGM):

Once in each calendar year, an Annual General Meeting (AGM) of the Association shall be held at such time and place as the EC shall determine, being not more than fifteen months after the adoption of this constitution and thereafter the holding of the preceding Annual General Meeting (AGM). At least 21 clear days' notice shall be served by posting in a conspicuous place or places in the area of benefit and/or by circulating in the Association's Group E-mail/Website or by advertising in a newspaper circulating in the area of benefit.

The business of each Annual General Meeting (AGM) shall be:

- (i). To receive the Annual Report of the EC, which shall incorporate the accounts of the Association referred to below in later section, and give an account of the work of the Association and its activities during the preceding year;
- (ii) To receive the accounts of the Association for the preceding financial year;
- (iii). To appoint one or more qualified auditors or independent examiners for the coming year to audit or examine the accounts of the Association in accordance with the Corporation's Act (or any statutory modification or re-enactment of that Act);
- (iv). To consider and vote on any proposals to alter this constitution in accordance with **Clause 19** hereof; and
- (v) To consider any other business(es) of which due notice has to be given.

(b) Special General Meeting (SGM):

The President may at any time at his/her discretion and the General Secretary in consultation with the President can call a SGM on any specific urgent issue. Besides, if one-third of members with power to vote requests for a SGM, President will call a SGM within 28 days. At least 14 clear days' notice shall be posted in the association's general group email with a clear reason for the meeting. However, a SGM designated for the election purpose will be scheduled according to Article 13 and Appendix 1.

9. THE GENERAL COMMITTEE (GC)

- (a) All the Full Members (Paid), Life Members (Paid), and Honorary Members (Paid) of the Association shall together constitute the General Committee (GC).

- (b) No member of the Association shall receive any remuneration.
- (c) The General Committee shall select or elect an Executive Committee (EC) of the Association in its Special General Meeting (SGM) designated for the election purpose. If no suitable candidate is found for the EC at SGM then the newly elected EC will select the suitable members to fill out the empty positions at the EC meeting through discussion and with a two-thirds majority of the EC.
- (d) Once selected or elected, the EC shall run the day-to-day affairs of the Association. After at least 20 months, the EC will initiate a process to elect a new EC at least 44 days before the completion of 2 years since assuming the responsibility of the association, and continue to run the day-to-day affairs of the Association until a new EC assumes the responsibility of the association.

10. THE EXECUTIVE COMMITTEE (EC)

- (a) Subject to the provisions of **Clause 8** hereof the policy and general management of the affairs of the Association shall be directed by an EC, which shall meet at least four times a year.
- (b) The EC shall have power to enter into contracts for the purposes of the Association on behalf of all members and may exercise on behalf of the Association any or all of the powers enumerated in **Clause 4** hereof.
- (c) The EC shall have power to adopt and issue Standing Order for the conduct of Association activities and/or rules for the use of the Centre. Such Standing Orders and Rules shall come into effect immediately; provided that they shall be subject to review by the Association in General Meeting (AGM) and they shall be consistent with the provisions of this constitution.
- (d) As mentioned before, the formation of the EC of the Association will follow **Clause 9**. Effective 2019, after the expiry of 2017-19 EC's term, the EC shall consist of the following Honorary Officers / Office Bearers:

Sl. Executive Committee Positions	Nos.
1. Past President (elected by the other members of the EC)	One
2. President	One
3. Vice President (VP)	Four
4. General Secretary (GS)	One
5. Assistant General Secretary (AGS)	One
6. Organizing Secretary	One
7. Finance Secretary & Treasurer	One
8. Cultural Secretary	Three
9. Publication & Social Welfare Secretary	One
10. International Affairs/International Student Secretary	One
11. Sports Secretary	One
12. Executive Members	Five

- (e) Roles, duties, and responsibilities of EC members:

The roles, duties and responsibilities of EC members are described in (f)-(m).

(f) Past President

On recommendation of the newly elected EC President, and with two-thirds vote of the EC in favor, an immediate past president may be appointed or reappointed as a Past President within the

first 90 days of the incoming EC. The Past President will be a voting member of the EC with the following responsibilities: (1) Lead any specific project with specific responsibilities approved by EC per her/his expertise/experience; (2) provide advice and suggestion to the President and the EC when requested; (3) any other special responsibility assigned by the EC.

The EC reserves right to cease the Past President's tenure or assigned responsibilities with two-thirds EC members vote.

Eligibility of the Past President is the following: (i) the candidate is an immediate past president, who has served the entire term of the outgoing EC; (ii) the candidate has not been defeated in the BCAWE election, which elected the current EC; (iii) the candidate has never resigned from the general membership under Article 7a nor disciplined by the EC under Article 7b; (iv) the candidate has not resigned from the President's office for any reason other than the normal expiry of the EC's term.

If the immediate past president, who has served the entire term of the outgoing EC, is not appointed as a Past President, the position of the Past President will be vacant for the entire term of the EC.

If the President is on his/her second consecutive term, the Past President's position may remain vacant or the EC may consider reappointment of the Past President. If the outgoing EC has been served by an Acting President and/or if the outgoing EC's President has resigned from the President's office for any reason other than the normal expiry of the EC's term, the EC may consider reappointment of the Past President.

(g) President

President shall be the Lead of the EC and the Chief Executive of the Association. S/he will preside over all meetings of the Association and/or any meeting, seminar, events organized by the Association. S/he shall explain any constitutional affairs and shall issue ruling in any affairs of the constitution and others. S/he will nominate any delegation in consultation with the EC to run the Association smoothly for the greater benefits of the Association. S/he shall oversee day to day general management of the Association and ensure that all the resolutions of the EC are carried into effect. All the officers including President will work for the Association on voluntary basis without any remuneration. But they can be reimbursed any actual expenses incurred for the Association. The same member will not hold the President's office for more than two consecutive terms. A member holding President's office for two consecutive terms will not be eligible for President's office in the following two terms.

(h) Vice Presidents (VPs)

In the absence of the President one of the Vice Presidents (preferably the senior most and/or most active one as decided by the EC and/or President) will conduct and preside over the meeting and perform all duties of the President.

(i) General Secretary (GS)

S/he will be the Chief Executive of the Secretariat of the Association and all department Secretaries. S/he will advise them in all works and co-ordinate all affairs of the Association. S/he will explain all programs/activities of the organization to the President time to time for the greater benefits of the Association, and submit reports to the Annual General Meeting (AGM) for discussion and necessary approval. The GS should call EC meeting/SGM/AGM in consultation with the President and should be responsible to prepare and distribute meeting minutes within shortest possible time, which should not be more than a week. The same member will not hold the General Secretary's

office for more than two consecutive terms. A member holding General Secretary's office for two consecutive terms will not be eligible for General Secretary's office in the following two terms.

(j) Organizing Secretary

S/he will be organizing in coordination with all the working and event sub-committees during any event arranged by the Association. S/he will circulate/announce any EC approved discussion/decision of BCAWE on any event through internet/email and other media. S/he will also appear in all EC meetings and Annual General Meetings (AGM) or Special General Meetings and document minutes and references. In addition, Organizing Secretary is responsible to keep membership database updated with the support of other EC members.

(k) Cultural Secretary

The Cultural Secretary shall be the key person in all the activities regarding any cultural program organized by the Association. If necessary, s/he would request additional help to the EC to finalize the cultural program.

(l) Secretaries (#5, 9, 10, and 11 as mentioned in Article 10(d))

They will implement all the advices that are agreed by the EC of the Association. They will perform all other required affairs of the Association accordingly as required.

(m) Finance Secretary & Treasurer

S/he will maintain all account of the Association and collect all subscription and donation and deposit to the bank. S/he will be joint-signatory of cheques and distribute cash as per decision of the EC. S/he will be fully responsible for accounts of the Association. The Treasurer shall have the custody of the funds and securities of the Association and shall keep full and accurate accounts of all assets, liabilities, receipts and disbursement in the books of accounts of the Association. S/he shall disburse the funds of the Association as may be directed by the proper authority, keep proper vouchers for such disbursements. S/he shall present to the President at the regular meetings of the EC, whenever they require it, an accounting of all the transactions and the statement of the financial position, of the Association. S/he shall also perform such other duties from time as advised by the EC.

(n) The President and the General Secretary of the Association will jointly sign any document on behalf of the Association. No other signature will be acceptable for any document of the Association's activities.

(o) A member of the EC shall cease to hold office bearer position if s/he –

(i) becomes ineligible to hold such office by virtue of the Canada Not-for-profit Corporations Act, or

(ii) becomes incapable of managing Association's affairs by reasons of mental disorder, illness, or injury, or

(iii) is absent in three consecutive EC meetings, without prior permission of or notification to the EC, and the General Committee (GC) resolves that s/he shall cease to hold the Association's office bearer position, or

(iv) notifies the EC in writing with his/her signature or inform EC by EC group email of his/her resignation (PROVIDED THAT EC accepts that resignation in a formal meeting).

(v) is unable to carry out his/her responsibilities as per constitution guideline even after reminder by the EC. In that case, any EC member can bring a motion to release him/her from the position and

responsibility. The motion must be approved by a two-thirds majority vote at the EC and ratified by a majority vote at an SGM or AGM.

11. ADVISORY BOARD

In order to obtain supports and suggestions for proper planning and successful implementation of the programs and advancement of the Association, the EC may nominate 5 (five) resourceful and distinguished community members as Advisers for the Association. From time-to-time there will be “Advisory Meeting” with the EC as determined by the EC to discuss ~~on~~ the advancement, success, and goal achievement of the Association. The Advisers shall hold no voting rights in the EC. The tenure of the Advisers shall coincide with the tenure of the EC.

12. SUB-COMMITTEES

The EC may appoint one or more sub-committees for better managing, supervising, or performing any activity or service undertaken by the BCAWE.

In each such case:-

- (a) the EC shall define the terms of reference of the sub-committees and may also determine its composition and the duration of its activities;
- (b) all acts and proceedings of the sub-committees shall be reported and documented as soon as possible to the EC.
- (c) a Vice President will coordinate a specific sub-committee.

13. ELECTION COMMISSION AND ITS ROLE

The EC will appoint a Chief Election Commissioner, who will appoint one or two other Election Commissioner(s) in consultation with the EC to conduct a participatory, fair and transparent election for the Association's EC in secret ballots by using a well-planned step by step process that requires nomination paper submission, verification, acceptance, and withdrawal, that uses a valid list of Full Members and that gives an equal opportunity and privilege to all candidates. The Election Commission will conduct election independently and keep the EC informed about the election procedure and schedule. As stated in Article 5, the membership fees can be paid to the Finance Secretary and Treasurer of BCAWE at any event or at the BCAWE office or electronically. It is not the job of the Election Commission to accept membership fees from anyone. **The election commission will not accept membership dues from anyone, nor will the commission allow any unpaid member to vote or to be a candidate.**

At least 44 days before the expiry of 2 years since assuming the responsibility of the association, the EC will appoint an Election Commission, publish a list of the Full Members of the Association and give the General Members at least two-week's notice after which no membership subscription will be accepted until the conclusion of the election process. On the last day of the changes to the list of Full Members stated in the notice, the EC will give the corrected and updated list of the Full Members to the Election Commission. The Election Commission will issue a call for nomination including the dates for nomination paper submission, nomination paper withdrawal, election of the EC, the SGM designated for the election purpose and all other relevant information adopting the samples shown in Appendices 1, 2 and 3. The Election Commission must conclude the election process by announcing results in a SGM, which will be held within 30 days after receiving the list of the Full Members.

There must be at least two nominators for nomination for the President and GS positions. There must be at least one nominator for nomination for all Vice President and Secretary positions. Nominators

will not be a member of the self-family. Home address of a nominator in the Windsor-Essex region will not be the same as that of the candidate. Self-nomination will be accepted for the EC member positions.

Excessive confidentiality can lead to many unnecessary fears, apprehension and questions. Again, excessive transparency can interfere with the Election Commission's work. Therefore, it is important to have a balance of confidentiality and transparency. The Election Commission will give a frequent update to the General Members about the nomination paper submission and withdrawal and publish the result of the election on the same day as the election is held.

If there is no nomination for a position, there will be a second call for nomination for that position which will be open till the date of withdrawal. Even after calling twice, if the vacancy remains, the EC will fill in the vacancy after the election with a two-thirds majority of EC votes in favour of the selected candidates.

If there is only one candidate nominated for a position, that candidate will be acclaimed and no voting will be required for that position. Similarly, if there is only one candidate nominated for a position after the second call for nomination, that candidate will be acclaimed and no voting will be required for that position.

If there are multiple candidates nominated for a position, the nomination papers can be withdrawn for a specific period of time, and those who withdraw nomination papers will be able to submit nomination papers for all vacancies in the positions which have not been nominated till the last date of the first call for nomination paper submission.

Candidates will refrain from making personal attacks during campaigning and will be able to disseminate only their mission, vision, goals and objectives for the next two years in the association. Candidates will not campaign using association's email group, or social media. Candidates can get Full Members' names, email addresses (if available), and phone numbers (if available) from the Election Commission for their campaigning purposes. However, the Full Members who are not willing to give their email and phone number to the candidates, the Election Commission will only provide their names, not email addresses nor phone numbers.

If there is a need to explain the rules about election or if there is any question about the election, the verdict of the Election Commission will be final.

If for some reason, the Election commission fails to conduct a successful election within 30 days, the EC will either reappoint the Election Commission or appoint a different Election Commission, who will be asked to complete the election process within 30 days after their appointment or reappointment.

At the SGM designated for the election purpose, the outgoing EC will automatically be dissolved and the incoming EC will assume the responsibility of the association.

If anyone engages in harassment and bullying activities and creates any undue pressure on the Election Commission in person, by phone, by email or otherwise, the Election Commission may disqualify that individual from the election with or without consulting the EC. The Election Commission will provide a sufficient evidence after the conclusion of the election. If anyone is disqualified due to such ground, EC will not interfere until the election process is completed. After the conclusion of the election, the EC will investigate the matter and he/she will be subjected to disciplinary action under Article 7b, if found guilty. Any false allegation against the election commission by any BCAWE member is subject to disciplinary action under Article 7b.

14. CONTINUITY OF THE ASSOCIATION

The outgoing President and the outgoing EC will ensure the continuity of the association by providing all necessary help for the newly elected EC to run the day-to-day affairs of the Association. The outgoing EC must transfer all resources including financial resources, office space, social media accounts, members' database, important contacts and all tangible and intangible assets to the incoming President and the incoming EC. No outgoing EC member will use, transfer or access such resources without the knowledge and permission of the incoming President and the incoming EC.

No outgoing EC member will represent or attempt to represent the Bangladesh community in the area of benefit when an external agency or individual contacts him or her in search of an elected representative of the Bangladesh community in the area of benefit. In such cases, the outgoing EC must inform the new EC's President or General Secretary within 7-10 business days of receiving the agency/individual's request. Failure to do so is subject to disciplinary action under clause 7(b).

Failure to ensure continuity, transfer resources, respect the right of the incoming President and the incoming EC to represent the Bangladesh community in the area of benefit, and failure to refrain from organizing program(s) conflicting with the Association's event(s) announced by the Association's President and the EC at the beginning of the year are subject to disciplinary action under clause 7b.

15. RULES OF PROCEDURE AT ALL MEETINGS/ ELECTIONS

(a) Rules of Order: Motions, Debate and Voting:

Subject to the provisions of **Clause 9**, any question arising at a meeting of the Association or one of its committees shall be decided by a simple majority of those present and voting. Subject to its own authority to make a special rule of order, Robert's Rules of Order shall be the official authority of the BCAWE for AGM, SGM, EC meeting and those matters for which rules of order of its own have not been adopted. When a motion is opened to debate, its maker is entitled to speak first and close the debate. All members have equal rights, privileges and obligations. No person can speak until recognized by the chair. Personal remarks during debate are out of order. Only one person may have the floor at any one time. In the case of elections of members to posts or committees, voting shall be by secret ballot. In all cases, the Chair shall have the right to vote. The Chair shall announce the result of a vote upon its completion. In case of a tie, the Chair shall have the right to a second or casting vote to break the tie.

(b) Participation in the election of the Association as a candidate:

Only paid members who have never resigned from the general membership under Article 7a nor disciplined by the EC under Article 7b are eligible to be a member of the EC and may participate in the BCAWE election process. In the event someone intends to participate in the election process of the Association as a candidate, s/he needs to be a registered Full Member (Paid), Life Member (Paid), Honorary Member (Paid) of BCAWE according to **Clause 5 (I)** and return the nomination form to the election commission. By signing in the nomination form, s/he acknowledges that s/he will abide by the rules of the **Constitution** of the Association and its **Bylaw** (if any).

(c) Quorum

(i) *EC Meetings*: One-third of the EC members with power to vote shall form a quorum at meetings to conduct the EC meeting to make valid decision.

- (ii) *Annual/ Special General Meetings*: Twenty members with power to vote or one-third of the members with power to vote, whichever is less, shall form a quorum at General Meetings/ Special General Meeting of the Association.
- (iii) At most three members may attend the EC by teleconference in front of the other members and the attendance by teleconference will be counted towards quorum.

In the event that no quorum is present at an Annual General Meeting (AGM)/ Special General Meeting (SGM) of the Association, the meeting has to be abandoned and shall stand adjourned which should be reconvened 14 days later, and those members with power to vote present at the meeting shall be deemed to form a quorum.

(d) Minutes

Minute books shall be kept by the Association and all its committees and the respective secretary (Organizing & Finance Secretary) shall enter therein a record of all the proceedings and resolutions. All minutes books/ office records should be archived in the BCAWE office (if available).

- (e) **Voting rights**: Only the paid members (current year) do have voting rights in the E.C, General Committee meeting, and election to the EC. It is the member's responsibility to pay the membership fees, and keep a proof (receipt) of it. The Chair may give privilege to attend and speak at the EC and General Committee meeting to the individuals who do not have voting rights. EC will remind its members through group e-mail, and any other effective communication means to renew their membership dues and will provide necessary support to collect the annual membership dues.

16. FINANCE

- (a) All money raised by or on behalf of the Association shall be applied to further the objects of the Association and for no other purposes.
- (b) A bank account must be open in the name of the Association with any bank that registered and operated in Canada. President, General Secretary and the Finance Secretary/ Treasurer would be the signatory of that account. Note that out of those three persons at least two of them must sign to get the money out from Associations account.
- (c) The Association's financial year would be January to December.

17. ACCOUNTS

The EC shall comply with its obligations under the Act (or any statutory modification or re-enactment of that Act) with respect to the:

- (a) keeping of accounting records for the Association;
- (b) preparation of annual statements of the accounts for the Association;
- (c) auditing or independent examination of the statements of accounts of the Association; and
- (d) transmission of the statements of account to the concerned authority for Ontario, Canada.

18. ANNUAL REPORT AND ANNUAL RETURN

The EC shall comply with its obligations under the Ontario not-for-profit corporations regulations under the Ontario Not-for-Profit Corporations Act (ONCA) and should submit Initial/ annual Return accordingly to the Ontario Ministry of government Services respective branch.

19. INDEMNITY

No member of the General Committee (GC) or the EC shall be made liable by reason of any mistake or omission made unknowingly or in good faith by any member of the General Committee (GC) or the EC other than wilful and individual fraud, wrongdoing or wrongful omission on the part of the member who is sought to be made liable.

20. DISSOLUTION

If the General Committee (GC) by a simple majority decides at any time that on the ground of expense or otherwise it is necessary or advisable to dissolve the Association, it shall proceed in accordance with the dissolution clause of the Ontario not for profit corporation act. A General Committee (GC) meeting will be called with no less than 21 days' clear notice (stating the terms of the resolution to be proposed thereat) shall be posted in a conspicuous place or places in the area of benefit and advertised through electronic media and given in writing to the concerned authority in Canada. If such decision shall be confirmed by a two-thirds majority of those present and voting at such meeting the General Committee (GC) shall have power to dispose of any asset held by or in the name of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be applied towards such charitable purposes for the benefit of the inhabitants of the area of benefit as the General Committee (GC) shall decide subject to the prior approval in writing of the concerned authority or other authority having related jurisdiction.

21. ALTERATIONS TO THE CONSTITUTION

Any proposal to alter this constitution must be approved by a majority vote at the EC. The EC will elect a Constitution Committee (CC) with at least 5 members from the EC. The recommendation of the CC will require the approval of both:

- (a) a two-thirds majority of members of the EC present and voting at an EC meeting in favor of change/revision;
- (b) a two-thirds majority of members with power to vote present and voting at a General Meeting.

At least 14 clear days' notice shall be posted in the BCAWE group email or a conspicuous place in the area of benefit stating the wording of the proposed alteration.

No alteration shall be made to this constitution which would cause the Association to cease to be Not-for-Profit-Corporations. No alteration to Clause 2 (objects), Clause 20 (Dissolution) or to Clause 21 (Alterations to the constitution) shall take effect until the approval in writing from the governing authority of Ontario Not-for-Profit Corporations Act (ONCA).

This constitution, with the founding contribution of Advisor Prof. Mustafizur Rahman, a 6-member Constitution Committee comprising President Shukuruz Zaman Tuhin, Vice President Mesbah Khan Milton, General Secretary Nowsher Ali, Joint Secretary Amirul Islam Bappee, Cultural Secretary Shahriar Chandon, and Office Secretary Mamun Chowdhury (Russell), and the Executive Committee of 2005-2007 and through the opinion, suggestions and voices of the Bangladeshi people living in the Windsor community and in the adjoining areas was adopted as the Constitution of the Bangladesh-Canada Association of Windsor-Essex (BCAWE) at a General Meeting of the Association held on the day of November 24, 2007 at the College Community Centre, College Avenue, Windsor, ON, Canada.

The Executive Committee of 2017-19 assigned the task of the revision of the constitution to a Constitution Committee whose members were President Saiful Bhuiyan, General Secretary Mohammad Yahiya Molla

and Vice Presidents Abul Alam, Shameem Momtaz, and Fazle Baki (Lead). The Constitution Committee worked closely with the Executive Committee, and reflected on the experience of the Association since its inception. The Constitution Committee drafted amendments, revised amendments in light of the discussion with the Executive Committee and finally forwarded its revision to the Executive Committee. On recommendation of the Executive Committee, the revision has been approved at the Annual General Meeting on October 6, 2018. After receiving feedback from the community, the Constitution Committee and the Executive Committee requested for a SGM for which the President and the General Secretary have circulated a notice on October 25. The revised version of the constitution has been approved by the Constitution Committee on November 14, and the Executive Committee on November 17, circulated among the General Members on November 17 and approved at the SGM on December 1, 2018.

Signed by:

Name:

Chair of the Meeting

Name:

Secretary of the Meeting

Date: December 1, 2018

Appendix 1

Election Roadmap

	Date
Last day of Changes to the list of Full Members and Call for Nomination	Day 1 (Saturday)
Nomination paper submission	Day 2-8 (Sunday-Saturday)
Second call for nomination of vacant positions, announcement of candidates acclaimed and names of candidates and positions in which there are multiple nominations	Day 9 (Sunday)
Submission of nomination papers for vacant positions	Day 9-15 (Sunday-Saturday)
The last day of withdrawal of nomination paper	Day 15 (Saturday)
Nomination paper verification, acceptance, finalization and announcement of names of the candidates	Day 16-26 (Sunday-Wednesday)
Election by secret ballot	Day 29 (Saturday)
Special General Meeting dedicated to election	Day 30 (Sunday)

Appendix 2
Nomination Form
Election of the Executive Committee
Bangladesh Canada Association, Windsor-Essex Region
Email Address for Nomination Paper Submission: _____

Position (See Appendix 3) _____

Nominee's name _____

Email _____

Phone _____

Member ID _____

Windsor-Essex Home Address:

For any Vice President or Secretary position:

Nominator's name _____

Signature _____

Date _____

Email _____

Phone _____

Member ID _____

Windsor-Essex Home Address:

For President and GS position:

Nominator's name _____

Signature _____

Date _____

Email _____

Phone _____

Member ID _____

Windsor-Essex Home Address:

Nominee's remarks:

Nominee's signature _____ Date _____

Appendix 3

The positions open for election:

<u>Position</u>	<u>No.</u>
President	1
Vice Presidents	4
GS	1
AGS	1
Organizing Secretary	1
Finance Secretary	1
Cultural Secretary	3
Sports Secretary	1
Publication and Social Welfare Secretary	1
Int. Affairs/Intl. Student Secretary	1
Executive members	<u>5</u>
Total	20

Appendix 4



<u>For Office Use Only</u>	
Membership Fee	:
Membership date	: 20 - -
Accepted by -	:
<small>(Must signed by President / GS only)</small>	

Bangladesh Canada Association of Windsor-Essex

"BCAWE" MEMBERSHIP APPLICATION

Date: _____

1. Name: First _____ Middle _____ Last _____

2. Address: _____ City _____ Province _____ Postal Code _____

3. Phone: Cell _____ Home Phone _____ Work _____

4. E-Mail* _____

5. Marital Status: Married _____ Single _____

6. Family Members:

A. _____ Relation: _____ Blood Gr.(Optional) _____

B. _____ Relation: _____ Blood Gr.(Optional) _____

C. _____ Relation: _____ Blood Gr.(Optional) _____

D. _____ Relation: _____ Blood Gr.(Optional) _____

*Your email address will be the primary method used for association communications. The BCAWE will not provide any member's personal information to any other person, corporation or agency without first obtaining the member's consent.

Member's Copy:

a. Membership Fee: \$ _____

b. Membership Number: 20 - - -

Visit BCAWE Website: <http://bcawe.ca/>

Email us: bcawe@yahoo.ca