

August 2022

Rules of The Constitution of Bangladesh Medical Society of Victoria (BMSV)



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1. Name:

1.1 Bangladesh medical Society of Victoria (BMSV) incorporated.

2. Purpose:

2.1 To promote fellowship amongst the members of the society through education, knowledge sharing and research to improve health and wellbeing of the community.

Objectives:

2.1.1 To improve the health and wellbeing of the members and the community by supporting the pursuit of clinical excellence, clinical practice, education, and research.

2.1.2 To promote good fellowship and peer support amongst members of the society to improve good relations between the members and the community.

2.1.3 To provide training and continuous professional development programs to improve knowledge and skills of members.

To educate and support newly graduated or migrated medical professionals of Bangladeshi origin to Australia to cope with the complex health care system and to establish themselves as a healthcare professional.

2.1.4 To support and encourage research by any health care professional in their relevant field of medicine.

2.1.4 To promote physical and mental health of its members through organizing social, cultural and sporting activities.

2.1.5 To create health promotion and awareness for the people of Bangladesh and Australia through the charity program.

3. Type of Organisation:

3.1 BMSV is a non-profit organization.

4. Tax Issues:

4.1 Association has deductible gift recipient (DGR) status.

5. Associations Power:

5.1 The association has the legal capacity of an incorporated body.

5.2 The association and its governing body have the power to do anything incidental or conducive to achieve its power.

The association may only

- Exercise its power; and
- Use its income and assets (including any surplus) for its purposes.

6. Use of Associations Income and Assets:

6.1 The association must not distribute any surplus income or assets directly or indirectly to its members. This rule does not prevent the association from paying the members:

- Reimbursement for expenses incurred by them for the association.

- For goods supplied and services provided by them.

7. Financial Year:

7.1 The financial year of the association starts on 1st July each year and ends on 30th June following year.

8. Qualification of Membership:

- 8.1 The association will consist of medical and dental doctors and students.
- 8.2 Any medical and dental professional of Bangladeshi origin living in Victoria, practicing or non-practicing, who obtained their graduation or post-graduation degree from Bangladesh will be eligible for membership.
- 8.3 Any Bangladeshi obtained their medical or dental degree outside Bangladesh and living in Victoria will be eligible for membership.
- 8.4 Any medical or dental student or Medical or dental professional whose parent/parents are Bangladeshi origin will also be eligible for membership.
- 8.5 Application must be made in writing and signed by the applicant and forwarded to EC /membership subcommittee with proof of first year's subscription. In this rule, writing includes electronic and physical pen and paper.
- 8.6 Medical professional must prove their qualification either by submitting their graduation certificate or reference from another medical professional who is also a current general member of BMSV. A medical or dental student needs proof of current study.
- 8.7 Application for membership must be approved by EC through Membership Sub- committee. Committee reserves the right to approve or reject the application. It is not required by the committee to give reasons for rejection, but committee must pay back the annual subscription paid by the applicant in full and inform the applicant about outcome.

9. Membership Categories and Rights:

9.1 There are 4 categories of membership:

10. General Member:

- 10.1 Will have the right to receive notice of general meeting.
- 10.2 Will have the right to vote at a general meeting.
- 10.3 Will have the right to submit items of business for consideration at a general meeting.
- 10.4 Will have the right to attend at general meeting.
- 10.5 Will have the right to contest for a position in the executive committee during election.
- 10.6 Will have the right to attend any program arranged by BMSV.
- 10.7 Will have the right to inspect the register of members.
- 10.8 The rights of a member are not transferable and ends when membership ceases.

11. Associate Member:

- 11.1 Will be offered to medical and dental students who haven't finished their basic medical degree yet.
- 11.2 Will not have the right to vote at general meetings and will not have the right to contest for any position in the Executive committee.
- 11.3 Membership will be free.

11.4 They will have all other rights of a general member.

12. Life Member:

- 12.1 Will be offered to any general member who will pay 10 years' equivalent membership fees as a lumpsum payment.
- 12.2 They will have all the rights and privileges of a general member and they will be subject to same disciplinary procedure as the general members if a situation arises.
- 12.3 They may have certain privileges determined by EC such as special discount, priority seating arrangement in an event etc.
- 12.4 After 3 years of continued general membership and with a good track record one can apply for life membership.
- 12.5 If the association is wound up, life members cannot claim membership money back.

13. Honorary member:

- 13.1 Eligibility of an honorary membership will be decided by Executive Committee
- 13.2 Will enjoy all the rights and privileges of an associated member.
- 13.3 No annual membership fee payable by the honorary member
- 13.4 Honorary membership may be considered for any medical or dental professional after their retirement from active service considering their contribution to the society.
- 13.5 Honorary membership may be considered for any medical or dental professional who are unable to continue their professional duties due to ill health or chronic illness.
- 13.6 Honorary membership may also be offered to any accomplished person in the society after duly approved by the EC.

14. Ending Membership:

- 14.1 A member can stop being a member of the association at any time by notice in writing to the EC /Membership committee.
- 14.2 A member stops being a member if,
- The member dies.
 - The member resigns within the rule.
 - The member is expelled in accordance with the disciplinary procedures set out in these rules.
 - The member's annual subscription is more than 2 years in arrears.
 - Where no annual subscription is payable, the member needs to apply to continue his/her membership after a year. His/her membership will cease after 2 years of entry into membership if he/she failed to renew the membership.

15. Register of Members:

- 15.1 The committee must keep and maintain a register of members that includes the following.
- The member's name and type of member.
 - The address for notice last given by member.
 - The date of becoming a member.

And for each former member, the date of ceasing to be a member.

- 15.2 It is the members responsibility to update their address, e-mail, and phone number.

16. Governing Body:

16.1 The governing body will be called “The Executive Committee” (EC).

16.2 The Composition of EC:

1. President: 01
2. Vice president: 02
3. General secretary: 01
4. Joint Secretary: 02
5. Treasurer: 01
6. Organizing and Membership development secretary: 01
7. Office Secretary: 01
8. Cultural secretary: 01
9. Publication and social welfare secretary: 01
10. Professional Development secretary: 01
11. Executive members: 15]
12. Ex-Office members: 02 (President and general secretary of the previous committee if they have not contested the election for the new committee)

Total number: 29

16.3 If there is an even number of members, an additional EC member will be co-opted by the EC.

16.4 If there was no contestant for a position, newly elected EC will co-opt a member for that position in the next meeting with majority vote.

16.5 General Duties of Committee Members:

16.6 The Committee is collectively responsible for ensuring that the association complies with the Act.

16.6.1 Committee members must exercise their powers and discharge their duties:

16.6.2 With reasonable care and diligence.

16.6.3 In good faith in the best interests of the association; and

16.6.4 For a proper purpose.

16.6.5 Committee members and former committee members must not make improper use of:

16.6.6 The position.

16.6.7 Information acquired by virtue of holding their position, to gain an advantage for themselves or any other person or to cause detriment to the association.

16.6.8 EC members shall not hold any position in any political parties neither in Bangladesh nor in Australia. General members can hold any of those positions.

1. Article 16.2.11 was substituted by the Constitution First Amendment 2023.

17. Job Description of Office Bearers:

17.1 President:

- 17.1.1 Head of the organization.
- 17.1.2 Will preside in all meetings.
- 17.1.3 Will advise the General Secretary (GS) to call meetings.
- 17.1.4 Will give written notice to the GS allowing him 7 days to call an EC meeting if the GS doesn't act upon his previous verbal advice. If the GS fails for any reason, the president himself can then call an EC meeting.
- 17.1.5 He will not vote in the executive committee meetings when a vote is taken on any issue/agenda. However, in case of a tie, he will cast his vote to break the tie.
- 17.1.6 Will have the privilege of authorizing an expense of up to \$500 without prior approval of EC. However, this must be approved in the subsequent EC meeting.

17.2 Vice President:

- 17.2.1 Senior (In terms of medical school graduation) among the two VPs, will be VP one. If both had graduated in the same year, the seniority will be conferred in alphabetic order of the last name (*surname*).
- 17.2.2 VP1 will act as the acting president in absence of the president.
- 17.2.3 VP2 will take upon the position of acting president if the President and Vice president 1 is absent for any reason.
- 17.2.4 VP1 and VP2 will carry out various responsibilities as delegated by the EC.

17.3 General Secretary (GS):

- 17.3.1 The GS will be responsible for calling EC meetings and General meetings as per advice of the president or in consultation with him.
- 17.3.2 The GS will seek permission in writing to the president to call a meeting in case the president refuses to give verbal permission. If the president fails to give permission, the GS can then call for a meeting with the consent of one third of the EC members.
- 17.3.3 Will set the agenda of the meeting.
- 17.3.4 Will be the custodian of all BMSV documents. However, he/she can exercise his responsibility through Office Secretary.
- 17.3.5 The GS will act as the spoke person of the organization.

17.4 Joint Secretary (JS):

- 17.4.1 Joint Secretary 1 and 2 will be decided in the same manner as Vice President.
- 17.4.2 JS1 will take up the role of GS in his/her absence.
- 17.4.3 If both the GS and JS1 are absent, JS2 will then become the acting GS.
- 17.4.4 JS Will carry out various responsibilities as delegated by the EC.
- 17.4.5 JS2 will be nominated from the Australian graduates of Bangladeshi origin unless no one is available for the position.
- 17.4.6 One of the JSs will be responsible to organize sporting events.

17.5 Treasurer:

- 17.5.1 Shall maintain the financial account.
- 17.5.2 Will prepare cheques and will have the authority of electronic transfer.

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17.5.3 Will be the mandatory signatory of the cheques. Any other person (Usually the President), delegated by EC will be the other signatory.

17.5.4 Will present income and expense statement at AGM.

17.5.5 Will present an Update on the account in the EC meeting when asked by the president or GS. In that case the treasurer should receive the request seven days prior to the meeting.

17.5.6 Treasurer must keep in his or her custody the financial records for the current financial year and any other financial records as authorized by the Committee.

17.6 Organising/Membership Development Secretary:

17.6.1 Responsible for recruiting new members and maintaining membership registrar.

17.7 Office Secretary:

17.7.1 Will be responsible for minutes of the meeting.

17.7.2 Will keep documents if assigned by the GS.

17.7.3 Will be responsible for circulating mails and emails as per the advice of the president and the GS.

17.8 Cultural Secretary:

17.8.1 Responsible for organizing and coordinating all cultural events.

17.9 Publication and Social Welfare Secretary:

17.9.1 Will be responsible for publishing all publications of BMSV. However, he/she may not be the editor. The Editor will be appointed by the publication and social welfare secretary through liaising with the EC.

17.9.2 Will be responsible for organizing various charity activities.

17.10 Professional Development Secretary:

17.10.1 Will be responsible to organize professional development activities for its members.

17.11 Executive & Ex-officio Members:

17.11.1 Will be responsible to carryout responsibilities as delegated by the EC.

17.12 Subcommittees:

17.12.1 From time to time, EC can form various subcommittees to carryout particular functions (Picnic, Workshop, Research etc.)

17.12.2 Each subcommittee will be comprised of a convenor and

17.12.3 The members of the Subcommittee will be selected by the convenor of each subcommittee to be approved by EC.

17.13 Term:

17.13.1 The term of the EC will be 2 years.

17.13.2 No one can hold the same position for more than 2 consecutive terms.

17.14 Vacancy In EC Committee:

- Death
- Physical/Mental incapacity as certified by a medical practitioner.

- Resignation
- Removed from the position by majority vote in a general meeting.
- Absence in 3 consecutive *EC* meetings without a valid reason accepted by *EC*.

17.6 Filling of Casual Vacancy:

17.6.1 If a position in *EC* becomes vacant, it should be filled up within 30 days by the *EC*. If there is no meeting scheduled within this period, a special *EC* meeting should be convened.

17.7 Executive Committee (EC) Meetings:

17.7.1 Quorum of the *EC* meetings will require presence of 40% attendance.

17.7.2 Attendance by proxy will be allowed if 3 days written notification is given by the respective member. The member who intends to attend through proxy shall authorize another member of the same committee to vote on his or her behalf in writing.

17.7.3 Minimum 7 days' notice for *EC* meeting will be required.

17.7.4 All meetings will be chaired by the president and conducted by *GS*.

17.7.5 All resolutions will be passed by simple majority.

17.7.6 If a committee member has a conflict of interest regarding a matter under consideration, he /she will be allowed to participate in the debate but won't be allowed to vote on the same issue.

17.7.7 Requisition meeting of the *EC* can be called by any *EC* member fulfilling the following criteria;

- Member has requested the *GS* to convene a meeting in writing citing specific reason why a meeting should be called which can't wait until the next scheduled meeting and allow 14 days for *GS* to schedule the meeting.
- If the president and *GS* fail to act upon the request of the *EC* member, the requesting member can call a requisition meeting of the *EC* after collecting signatures of at least one third of the *EC* members in favor of calling such a meeting.

17.7.8 Emergency meetings could be convened giving 3 days' notice if any emergency arises.

17.7.9 Office secretary is responsible to keep the meeting minutes.

18. Dispute Resolution:

18.1 Ground for taking Disciplinary Action:

18.1.1 The Association may take disciplinary action against a member if it is determined that the member:

- (a) has failed to comply with these rules; or
- (b) refuses to support the purposes of the Association; or
- (c) has engaged in conduct prejudicial to the Association caused damage or harm to the association or may have caused significant embarrassment and harassment to other members.

18.2 Disciplinary Subcommittee

- (1) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- (2) The members of the disciplinary subcommittee:

- (a) may be Committee members, members of the Association or anyone else; but
- (b) must not be biased against, or in favour of, the member concerned.

18.3 Notice to Member

18.3.1 Before disciplinary action is taken against a member, the General Secretary must give written notice to the member:

- (a) stating that the Association proposes to take disciplinary action against the member; and
- (b) stating the grounds for the proposed disciplinary action; and
- (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the ***disciplinary meeting***); and
- (d) advising the member that he or she may do one or both of the following:
 - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting.
 - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
- (e) setting out the member's appeal rights under mentioned in appeal rights rule.

18.3.2 The Disciplinary meeting should be held within 1 month after the notice has been served,

18.4 Decision of Subcommittee

18.4.1 At the disciplinary meeting, the disciplinary subcommittee must:

- (a) give the member an opportunity to be heard; and
- (b) consider any written statement submitted by the member.

18.4.2 The disciplinary subcommittee may:

- (a) take no further action against the member; or
- (b) (i) reprimand the member; or
- (ii) suspend the membership rights of the member for a specified period; or
- (iii) expel the member from the Association.

18.4.3 The disciplinary subcommittee may not fine the member but can ask for reimbursement of any financial damage may have caused by the member.

18.4.4 The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

18.5 Appeal Rights

18.5.1 A person whose membership rights have been suspended or who has been expelled from the Association may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.

18.5.2 The notice must be in writing and given:

- (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
- (b) to the Secretary not later than 48 hours after the vote.

- 18.5.3 If a person has given notice under subrule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 28 days, after the notice is received.
- 18.5.4 Notice of the disciplinary appeal meeting must be given to each member of the newly formed appeal committee (which will be formed once appeal notice has been received)
- (a) specify the date, time and place of the meeting; and name of the person against whom disciplinary action has been taken
 - (b) At the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

18.6 Conduct of Disciplinary Appeal Meeting

- 18.6.1 At a disciplinary appeal meeting:
- (a) No business other than the question of the appeal may be conducted; and
 - (b) The Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - (c) The person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- 18.6.2 The members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- 18.6.3 A member may not vote by proxy at the meeting.
- 18.6.4 The decision is upheld if three quarters of the members of the committee supporting the decision.

19 Grievance procedure:

19.1 Application

- 19.1.1 The grievance procedure set out in this Division applies to disputes under these Rules between—
- (a) a member and another member; (Matters related to BMSV)
 - (b) a member and the Committee.
 - (c) a member and the Association.
- 19.1.2 A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

19.2 Appointment of mediator

- 19.2.1 If the parties to a dispute are unable to resolve the dispute between themselves, the parties must within 14 days—
- (a) notify the Committee of the dispute; and
 - (b) agree to or request the appointment of a mediator; and
 - (c) attempt in good faith to settle the dispute by mediation.

- 19.2.2 The mediator must be—
- (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement—
 - (i) if the dispute is between a member and another member—a person appointed by the Committee; or
 - (ii) if the dispute is between a member and the Committee or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.
- 19.2.3 A mediator appointed by the Committee may be a member or former member of the Association but in any case, must not be a person who—
- (a) has a personal interest in the dispute; or
 - (b) is biased in favour of or against any party.

19.3 Mediation process/Resolving Dispute:

- 19.3.1 The parties involved must first attempt to resolve the dispute between themselves within 14 days from the date of the dispute is known to all parties involved (Negotiation period)
- 19.3.2 If the dispute cannot be resolved within the negotiation period, the following grievance procedure must be followed:
- 19.3.3 The party with a grievance must write to the committee and any other people affected explaining their grievance (Grievance notice) within 14 days after the negotiation period.
- 19.3.4 The Committee must within 14 days after receipt of a grievance notice appoint an unbiased mediator to hear from all the parties involved and try to find a solution.
- 19.3.5 The committee must give the people involved notice regarding the time and place of mediation reasonably.
- 19.3.6 At the mediation meeting, each party must have an opportunity to be heard.
- 19.3.7 Each party must do their best to resolve the dispute.

19.4 Failure to resolve dispute by Mediation

- 19.4.1 If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

20 Election of the EC:

- 20.1 The EC will conduct a (*special*) meeting 6 weeks before their tenure ends for the purpose of conducting the election for the next EC.
- 20.2 An election commission will be formed by the EC in that meeting comprising of a chairman and 2 members,

- 20.3 After that day, the EC will go in caretaker mode and no policy decision or new programmed could be undertaken by them. However, if there was a prescheduled event, that will go ahead as planned.
- 20.4 EC meetings can still take place to continue conducting routine activities.
- 20.5 The Election Commission will assume their duties within 2 weeks of being appointed and declare the election schedule. Their 1st meeting should take place within this time to allow the declaration of election schedule.
- 20.6 No new members should be admitted from the time the election schedule is declared until the election result is officially declared and ratified by the election commission.
- 20.7 The elections will be conducted through electronic voting system.
- 20.8 The election will take place within 40 days of the election commission assuming their duties.
- 20.9 The schedule will include the last day of submitting nominations, publication of preliminary candidates list by the election commission, the last date of withdrawal, the date of election and the date of declaration of the result and ratification.
- 20.10 The members of the Election Commission, their spouses, siblings and children will be barred to contest for any position.
- 20.11 Nomination papers will be issued by the election commission and will include signature of the nominee and that of a proposer and a seconder.
- 20.12 No member can contest for a position if he/she has not completed 1 year of membership as a general member,
- 20.13 No member can contest for more than one position in an election.
- 20.14 Voters must vote for all contesting positions, otherwise the vote will be regarded as invalid,
- 20.15 No campaign meetings will be organised by the election commission.
- 20.16 Campaigning will be the individual candidate's own responsibility. However, the election commission will provide voters list to the candidates upon request. For the campaign, the voters telephone numbers and email addresses could be provided to the candidates.
- 20.17 Any financial transaction or material gift to influence voters (e.g., paying for someone's membership) will be regarded as disqualification and any such proven misconduct will result in automatic cancellation of the nomination.
- 20.18 Any error or wrong information in the nomination paper will result in cancellation of the nomination paper.
- 20.19 All cost of the election process will come from the BMSV fund and will be provided by the treasure upon the request of the chairman of the election commission.
- 20.20 If there is any ambiguity or lack of clarity in the constitution regarding any issue of the election process, the election commission's decision will be final and couldn't be challenged. However, the election commission can seek guidance from the EC in this matter and assign them to advise the election commission on a majority vote in the current EC. A special EC meeting could be conducted to resolve this issue during the caretaker period at the request of the election commission. If a contestant feels aggrieved, s/he can seek a meeting with the election commission to raise his/ her concern. The commission can then arrange an arbitration between that candidate(s) and the EC. In absence of a settlement, the election commission will reserve the right of deciding on such disputed matter. The final decision couldn't be challenged in any forum including at the court.

21 General Meeting:

- 21.1 The association must Hold an annual general meeting (AGM) within 6 weeks after the Election of the new committee.
- 21.2 It is the responsibly of the previous committee to arrange and conduct the AGM and transfer the responsibilities to the new committee at the AGM.
- 21.3 Existing committee determines the date, time, and venue of AGM.

- 21.4 The ordinary business of the AGM is to confirm the minutes of the previous AGM and of any special general meeting held since then and to receive and consider reports and financial statements on the previous financial year. New EC will be also inducted at the AGM.
- 21.5 Notice of the date, time and venue of a general meeting must be provided to members at least 14 days before the meeting in writing (electronically).
- 21.6 Notice of the general meeting must include all proposed matters to be dealt with at the meeting.

22. Meeting Procedure:

Association must have one general meeting each year.

- 22.1 AGM can be held either at a venue physically or virtually (video technology),
- 22.2 The president will chair the meeting. If the president is not present, one of the vice presidents will chair the meeting. If neither the president nor the vice president is present, the committee must elect another member from EC to chair.
- 22.3 The chair of the meeting does not have a casting vote.
- 22.4 Proxy vote will not be accepted in AGM.
- 22.5 Provision of Proxy Vote will only remain in EC meetings.
- 22.6 Quorum for a general meeting is the presence of 10% of the members entitled to vote.
- 22.7 Members may vote only in person.
- 22.8 All agendas will be passed with a simple majority.
- 22.9 Members are not allowed to propose motions from the floor at a general meeting. They need to submit items of business in writing to secretary 14 days earlier for consideration at a general meeting.
- 22.10 The chairperson of a general meeting at which a quorum is present may, with the consent of majority of members present at the meeting, adjourn the meeting to another time at the same place or another place in a very special circumstance.
- 22.11 If votes are divided equally on a question, the chairperson of the meeting can cast his/her vote on that agenda.
- 22.12 The chairperson of a general meeting may, based on show of hands, declare that that a resolution has been carried, carried unanimously, carried by a particular majority, or lost.
- 22.13 The committee must ensure that minutes are taken and kept of each general meeting.
- 22.14 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote, in addition, the minutes of each general meeting must include:
- a) names or number of members attended the meeting; and
 - b) the financial statements submitted to the members; and
 - c) the certificate signed by two committee members certifying that the financial statements give a true view of the financial position.

23. Special General Meeting:

- 23.1 *Any general meeting of the Association other than an annual general meeting or a disciplinary appeal meeting is a special general meeting (SGM).*

23.2 *The committee may convene an SGM whenever it thinks fit.*

23.3 The committee must convene a special general meeting (SGM) if a request to do so is made in accordance with this rule by at least 10% of the total number of members. The request for a SGM must be in

23.3.1 Writing (includes email or other electronic form)

23.3.2 State the business to be considered.

23.3.4 Include the names and signatures of the members requesting the meeting.

23.3.5 Be given to the general secretary.

23.3.6 If the committee does not convene an SGM within one month after the date on which the request is made, the members making the request (or any of them) may convene the SGM.

23.4 A SGM convened by members must:

23.4.1 Be held within three months after the date on which the original request was made; and

23.4.2 Only consider the business stated in that request.

23.4.3 The association must reimburse all reasonable expenses incurred by the members convening an SGM.

23.4.4 A special resolution is passed with a two third majority.

23.5 Notice of General Meetings:

23.5.1 The Secretary or in case of a special general meeting convened by the members must give to each member of the Association:

23.5.1 At least 14 days' notice of a general meeting

23.5.2 The notice must specify the date, time, and place of the meeting; and

23.5.3 Indicate the general nature of each item of business and

23.5.4 If a special resolution is to be proposed –

a) State in full the proposed resolution and

b) State the intention to propose the resolution as a special resolution.

24. Custody of Documents and Members Access to Documents:

The must keep custody of the financial records of the association for the current financial year and any other financial records as authorised by the Committee. The General Secretary must keep custody of all books, documents and securities of the association.

The secretary must keep and maintain a register of members in accordance with the act,

A member is entitled to, subject to certain restrictions found in the rule, inspect the rules, general meeting minutes, relevant documents and the members' register at a reasonable time. 'Relevant documents' includes such as financial records, contracts, and asset records of the association. Members can ask for copies of these documents (except for member register). If a member asks to

inspect the register of members, the association must allow this in a reasonable time. Note that, in certain circumstances, the association may withhold personal member information.

Subject to the act, the association can refuse a request to inspect or get copies of relevant documents, or provide a limited access, if the documents contain confidential, personal, employment, commercial or legal matters, or if, granting the request would breach a law or may cause damage or harm to the association.

Subject to the act, members cannot inspect or get copies of committee meeting minutes or parts of the minutes unless the committee specifically allows it.

Members can write to the secretary/President to restrict access to their details on the member register if they have special circumstances.

Any writing will include email or other correspondences in electronic form.

24.1 Funds:

24.1.1 The association may derive or generate funds from joining and annual subscription fees, donations, grants, fundraising, interest, and any other sources approved by EC.

24.1.2 Cheques, EFT transfers or cash payments made from the association fund must be authorised by two delegated committee members.

24.1.3 Financial records must be kept and stored for seven years.

- The Association must open an account with a financial institution from which all expenditure of the Association will be made and into which all of the income will be deposited.
- Subject to any restrictions imposed by a general meeting of the Association, the Committee may approve expenditure on behalf of the Association.
- The Committee may authorise the Treasurer to expend funds on behalf of the Association up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.

24.2 Common Seal:

24.2.1 The association does not have a common seal.

24.3 Changing the Rules:

24.3.1 Subject to the act, these rules may be changed, added to, or replaced only by special resolution of the association's members at a general meeting.

24.5 Winding Up the Association:

24.5.1 To wind up the association, the members must vote for this by a special resolution in a general meeting.

24.5.2 If the association is wound up, any surplus assets must not be distributed to the members or former members of the association,

24.5.3 Subject to the act, any other applicable act or any court order, any surplus money or assets must be given or transferred to a body that has similar purposes to the Association.

24.5.3.1 Which is required to pursue charitable purposes like, or inclusive of, the purpose of the association.

24.5.3.2 Which serves the Bangladeshi community in Bangladesh or in Australia.

24.5.3.3 Which is prohibited from making distributions to its members.

24.5.3.4 To which income tax deductible gifts can be made be decided by a special resolution.

The body to which the surplus assets are to be given must be decided by a special resolution.

APPENDIX 1

Amendment

Whereas it is expedient and necessary to amend certain provisions of the constitution of Bangladesh Medical Society of Victoria.

February 2023

Addition to executive members of Governing body

This amendment may be called the First Amendment.

1. Substitution of Article 16.2.11 of the Constitution: In the Constitution for Article 16.2.11 in the following shall be substituted: - 16.2.11 Executive Members - 15