



# SINGAPORE MALAYALEE HINDU SAMAJAM

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CONSTITUTION

Singapore Malayalee Hindu Samajam

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# SINGAPORE MALAYALEE HINDU SAMAJAM

Article	Description
1	<b>NAME AND HISTORY</b>
1.1	The organisation shall be known as the "SINGAPORE MALAYALEE HINDU SAMAJAM" (hereinafter called the "Samajam").
1.2	History of Samajam – It was formed in 1926 by the Malayalee Hindu community in Singapore, with the objectives of promoting Hinduism in Singapore, assisting destitute Malayalees in Singapore, and giving them a decent burial in the event of death.
2	<b>PLACE OF BUSINESS</b>
2.1	The place of business of the Samajam shall be at 10 Jalan Besar, #10-12, Sim Lim Tower, Singapore 208787, or such other place as the Executive Committee ("EXCO") may decide subject to the approval of the Registrar of Societies.
3	<b>OBJECTS</b>
3.1	<ul style="list-style-type: none"> <li>a. To establish a temple, place of worship to disseminate Hindu religious knowledge, hold religious and cultural congregations, conduct religious discourses, celebrate Hindu religious festivals, and conduct religious ceremonies and rituals, especially for the Malayalee Hindu community in Singapore.</li> <li>b. promote social, cultural, educational, and charitable activities either on its own or in association with other organisations locally and /or overseas.</li> <li>c. organise and support activities to enhance the physical, mental, emotional, and spiritual well-being of members, and the larger community.</li> <li>d. publish books, journals, articles, research, and other papers in print, electronic or virtual forms to promote the Hindu religion, philosophy, culture, and way of life.</li> <li>e. promote social, cultural, educational, and charitable activities either on its own or in association with other organisations locally and/or overseas.</li> <li>f. conduct activities to promote inter-racial and religious harmony among residents in Singapore.</li> <li>g. promote the religious, social, and moral wellbeing of members of the Hindu faith and all activities and matters in furtherance thereof.</li> <li>h. establish bonds with other religious and cultural groups of different races and religions in Singapore so as to create a stronger multi racial, religious and cultural community for Singapore citizens and residents.</li> </ul>
3.2	To engage in charitable, social welfare and community work for the less privileged; to promote the relief of poverty, suffering and distress among the poor; to provide financial assistance for the education of dependents of poor families.
3.3	To advance and carry out the objects set out in Articles 3.1 and 3.2, the Samajam may: <ul style="list-style-type: none"> <li>a. acquire, purchase, lease, sub-lease or licence immovable properties or premises or rights or privileges in Singapore or abroad.</li> </ul>

	<ul style="list-style-type: none"> <li>b. may raise, borrow money, or take loans from banks and financial or other institutions or individuals for this purpose and to repay the loans and interest that may accrue.</li> <li>c. establish, operate, and maintain one or more temples in Singapore, and employ priests, administrators, temple musicians, and other persons required for the conduct of rituals, related activities, and upkeep of the temple(s).</li> <li>d. co-operate with other religious and /or cultural organisations and promote the objects and purposes of Samajam.</li> <li>e. make or receive donations in furtherance of the objectives of Samajam and for charitable purposes.</li> <li>f. oversee the general governance of various forms of trusts including building fund trusts, educational fund trusts, humanitarian trusts, and any other trusts that may be established by Samajam.</li> <li>g. develop, construct, establish or otherwise facilitate the construction of buildings, residential or otherwise for the purpose of caring for and supporting senior persons or individuals with disabilities/special needs.</li> <li>h. do all such other things as are incidental or conducive to the attainment and advancement of the objects including but not limited to the appeal, soliciting, accepting and receiving any movable or immovable properties, funds, endowments, legacies, bequests or gifts for any purpose within the objects of Samajam.</li> <li>i. pursue any other charitable activities in support of the objects of the Samajam.</li> <li>j. take such steps by personal or written appeal, public meetings, social media, or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Samajam, in the form of donations, annual subscriptions or otherwise.</li> <li>k. take any gift of property, whether subject to any special trust or not, or to establish undertake, superintend or administer any charitable or benevolent fund, for any one or more of the objects of the Samajam;</li> <li>l. invest any moneys of the Samajam, not immediately required for any of its objects, in such manner as may from time to time be determined for the purposes of the Samajam;</li> <li>m. work in close co-operation with the Government and relevant authorities in Singapore and enter into arrangements with them to obtain any rights that may seem conducive to the Samajam’s objectives;</li> <li>n. do all such other lawful things as are incidental or conducive to the attainment of the above objects.</li> </ul>
3.4	All the above objects and activities to be conducted by the Samajam shall be in accordance with the laws, by-laws and by-laws of Singapore and any activities undertaken outside Singapore shall also be in accordance with the laws and by-laws of any such country.
4	<b>PATRON</b>
4.1	<p><b>Appointment of Patrons</b></p> <p>The EXCO may invite prominent persons and /or persons with distinction in Singapore who shall be Singapore Citizens or Permanent Residents to become patrons of the Samajam for such period as the EXCO may decide from time to time.</p>

4.2	All Patrons shall be deemed to be Honorary Members (non-voting) if they are not existing members of the Samajam.
5	<b>CLASSES OF MEMBERSHIP</b>
5.1	<p>There shall be seven (7) categories of membership, namely: “Honorary (non-voting)”, “Life”, “Ordinary”, “Junior (non-voting)”, “Associate Life (non-voting)”, “Associate (non-voting)”, and “Corporate (non-voting)”.</p> <p>The EXCO may from time to time create other class of members if found necessary, with appropriate entrance, subscription and other fees, and granting rights and privileges as the EXCO deems appropriate.</p>
5.2	<p>Honorary membership may be conferred by the EXCO on persons distinguished in public life or having contributed meaningful service to the Samajam. Such members shall not be required to pay any entrance fees or subscription to Samajam.</p> <p>The tenure for an Honorary Membership (non-voting) shall be for a time-period stipulated by the EXCO.</p>
5.3	Life membership shall be open to Hindus who are above 21 years of age at or on the day of membership and are residents of Singapore.
5.4	Ordinary membership shall be open to Hindus who are above 21 years of age at or on the day of membership and are a resident of Singapore.
5.5	Junior membership (non-voting) shall be open to Hindus residing in Singapore who are less than 21 years of age on the day of membership. They shall be entitled to be transferred to ordinary or life membership upon attaining 21 years of age and upon payment of the requisite fees. Junior membership below 18 years of age shall require the written consent of parents or guardians in compliance with the Registry of Societies’ Code of Governance (July 2015) and/or other relevant requirements.
5.6	Associate memberships (including Associate Life) (non-voting) shall be open to anyone who abides by the objects of the Samajam and is a resident of Singapore
5.7	Corporate membership (non-voting) shall be open to Singapore registered societies registered with the Registrar of Societies, firms, companies and other entities registered with Accounting and Corporate Regulatory Authority (ACRA). The admission of a Corporate Member shall be at the sole discretion of the EXCO.
5.8	Applications for membership shall be made on the prescribed form in writing or through online.
5.9	Applications for membership shall be approved by the EXCO by a simple majority vote of members present at its EXCO meeting held physically or virtually.
5.10	The EXCO shall have powers to reject any application without assigning any reason therefor and its decision shall be final.

5.11	Life and Ordinary members shall have rights as provided in the Constitution, subject to the Articles of the Samajam, to take part in all its activities, enjoy all its amenities and to vote and hold office.
5.12	Honorary, Associate, Junior and Corporate members shall have the right to enjoy all the amenities of the Samajam but shall not have the right to vote or hold office.
6	<b>ENTRANCE FEES, SUBSCRIPTION AND OTHER DUES</b>
6.1	The entrance, subscription and other fees payable by different categories of membership (and all forms of waiver of fees) shall be decided by the EXCO from time to time.
6.2	Annual subscriptions are payable in advance within the first month of the year.
6.3	If a member fails to settle his arrears within thirty (30) days of it becoming due, the Samajam may order that his name be posted on the Samajam's Non-Payment Membership List and he shall be denied the privileges of membership until he settles his account in full.
6.4	If a member fails to settle his arrears for more than ninety (90) days, he will automatically cease to be a member.
6.5	The membership may be reinstated if a valid reason is given to the EXCO in writing, through electronic mail or letter, and upon payment of all arrears, including the prescribed subscription fees.
7	<b>RESIGNATION FROM MEMBERSHIP</b>
7.1	Any member who wishes to resign shall notify the Secretary of this intention in writing, through electronic mail or letter, and shall at the same time pay up any arrears of subscription or other dues.
7.2	Once a member is adjudged a bankrupt, he is deemed to have resigned and ceases to be a member.
8	<b>GENERAL MEETINGS</b>
8.1	The authority of the Samajam is vested in the general body of members and exercised at a General Meeting of the members. All General Meetings shall be presided by the President and if he is not able to, then one of the Vice Presidents shall preside at the General Meeting. And if that is not possible, then one of the Officers in the EXCO shall preside.
8.2	An Annual General Meeting (AGM) shall be held within four (4) months from the close of Samajam's financial year.
8.3	At least thirty (30) days' notice shall be given of an AGM. Notice of meeting stating the date, time and place of meeting shall be sent by the Secretary to all voting members.

	The details of the agenda including a copy of the audited financial statements for the preceding year together with the Annual Report of the EXCO and the previous financial year's Audited accounts shall be posted by post, electronic media or on the Samajam's website at least seven (7) days in advance of the meeting.
8.4	The omission to give notice of any meeting to, or the non-receipt of such notice by any Member shall not invalidate any resolution passed or any matter transacted at any such meeting.
8.5	Voting by proxy shall not be allowed at all General Meetings (including AGMs and EOGMs).
8.6	The following matters will be dealt with at an AGM: <ul style="list-style-type: none"> <li>a. The adoption of the minutes of the last AGM and any EOGM, the previous financial year's audited Accounts and the Annual Report of the EXCO.</li> <li>b. The election of the EXCO, the office-bearers, the Trustees and Internal Auditors for the specified periods as applicable.</li> <li>c. Any other matters listed in the agenda for the meeting.</li> </ul>
8.7	Any member who wishes to place an item on the agenda of the AGM, including the adoption of any resolution may do so provided he gives notice to the Secretary fourteen (14) days before the meeting is due to be held.
9	<b>EXTRA ORDINARY GENERAL MEETING (EOGM)</b>
9.1	At an EOGM, only the specific agenda for the consideration of which the meeting was convened, shall be considered.
9.2	An EOGM must be called by the President on the request in writing of not less than 25% of the total voting membership or twenty-five (25) voting members, whichever is the lesser, and may also be called at any time by order of the EXCO. The notice in writing shall be given to the Secretary setting forth the business that is to be transacted. The EOGM shall be convened within two (2) months of the receipt of the request to convene the EOGM.
9.3	If the EXCO does not respond within two (2) months after the date of the receipt of the written request proceed to convene an EOGM, the members who requested for the EOGM shall convene the EOGM by giving ten (10) days' notice to voting members setting forth the business to be transacted and simultaneously may post the agenda on the Samajam's Website.
9.4	At least ten (10) days' notice shall be given for an EOGM.
10	<b>QUORUM FOR GENERAL MEETINGS</b>
10.1	The quorum for any General Meeting (including AGM and EOGM), whether physical or virtual, shall be not less than 25 percent of the voting members or twenty-five (25) members eligible to vote whichever is lesser. Once the quorum is met the meeting may continue till concluded or adjourned even if the numbers are reduced below the quorum as the meeting progresses.
10.2	If at the appointed time, there is no quorum, the meeting shall be adjourned for half an hour on the same day. At this adjourned meeting the members present

	shall constitute a quorum, but they shall have no power to amend, alter or make additions to the existing Constitution if the stipulated quorum is not present.
11	<b>COMPOSITION OF THE EXECUTIVE COMMITTEE (EXCO)</b>
11.1	The EXCO of the Samajam shall be ordinary and/or life members and serve in an honorary capacity and comprising:  President Two (2) Vice-Presidents Secretary Two (2) Assistant Secretaries Treasurer Assistant Treasurer, and Six (6) Committee members.
11.2	The above fourteen (14) members of the EXCO shall be elected by the general body of members eligible to attend and vote at the AGM.
11.3	The business of the EXCO shall be conducted in English and may in addition be conducted in Malayalam.
11.4	All office bearers except the Treasurer shall be eligible for re-election. The Treasurer shall not serve in that position for more than 4 years. However, the Treasurer may avail himself for re-election to other positions in the EXCO.
11.5	The elected members of the EXCO shall serve a term of two (2) years. They may stand for re-election for a continuous term of 3 terms. Thereafter, there must be a lapse of at least two (2) years before they can stand again.
12	<b>ELECTION OF OFFICE BEARERS, COMMITTEE MEMBERS</b>
12.1	A nomination of a candidate for election for any office as provided for in Article 11 shall be proposed and seconded on the prescribed form by an eligible member. The duly completed form shall be signed by the candidate as signifying his willingness and eligibility to accept the office he is standing for. The duly completed form must be received by the Secretary within the stipulated period either in hardcopy format or electronic including use of web platforms. Such candidate shall be considered for election once he complies with the above steps (even if he is not present physically or virtually at the AGM).
12.2	Nominations must be received by the Secretary at least 14 clear days before the date of the AGM and the names of all the nominees shall be posted on the website of the Samajam not less than 5 days before the date of the AGM.
12.3	Election shall be by ballot when the nominations exceed the required number. If insufficient nominations are received the members present at the AGM shall be entitled to propose, second and elect such further members of the Committee as necessary to complete the required number.

12.4	The election of the EXCO at the General meetings shall be conducted in accordance with the Election Code of Conduct. The Board of Trustees shall frame the by-laws constituting the Election Code of Conduct for the conduct of free and fair elections and shall also supervise the conduct of elections to the EXCO. All nominations shall be put to vote at the AGM.
12.5	The entire election process shall be conducted physically and/or online (or in hybrid form) upon the decision of the EXCO with the availability of an online platform to conduct the election in accordance with the provisions in the Constitution.
13	<b>CO-OPTION OF MEMBERS TO EXCO AND VACANCIES</b>
13.1	The committee may co-opt members to sit on the EXCO, and such members shall hold office during the term of the EXCO, following their co-option. Such co-opted members shall not have a vote at meetings of the EXCO and shall not be deemed to be members of the EXCO.
13.2	The co-opted members shall be entitled to attend all EXCO meetings.
13.3	The co-opted members, shall not form a part of a quorum for the EXCO meeting.
13.4	In the event that a vacancy arises in the EXCO after its formation at an AGM, the EXCO may appoint, as soon as possible, any Life or Ordinary Member to fill that vacancy at any EXCO Meeting. This is subject to the following provisions: <ul style="list-style-type: none"> <li>a. Not more than six (6) vacancies shall be filled up to the time of the next AGM by the EXCO. Any further vacancy arising in the EXCO during its term of office shall, as soon as possible, be filled by way of an election at a General Meeting called for that purpose.</li> <li>b. The EXCO shall only be allowed to appoint members to fill the following posts: <ul style="list-style-type: none"> <li>(i) Assistant Secretaries</li> <li>(ii) Assistant Treasurer</li> <li>(iii) Committee Members</li> </ul> </li> <li>c. Election of EXCO Members, other than those mentioned in Article 13.4 (b) to fill a vacancy in the EXCO, prior to the AGM, shall be by way of election at an EOGM called for that purpose in accordance with this Constitution.</li> <li>d. The co-opted committee members who are co-opted to fill up the vacancy specified in 13.4(a) and (b) above shall have all the rights of elected committee members.</li> <li>e. If more than half of the EXCO members resign all together, a new committee shall be elected at an EOGM within thirty (30) days of such resignation in accordance with the Articles governing the General Meetings and EOGM. Any member of the out-going EXCO may stand for re-election. The new EXCO shall hold office for the remaining period of the current term.</li> </ul>
13.5	Any changes to the EXCO or BOT shall be notified to the Registrar of Societies (“ROS”), the Commissioner of Charities (“COC”) and/or the respective Sector Administrator within 2 weeks of the changes, when applicable.
14	<b>DUTIES AND POWERS OF EXCO</b>
14.1	The EXCO may from time to time, raise or borrow, for the objects and purposes of Samajam, such sums of money as they think proper.

	<p>The EXCO may raise or secure the payment of such monies in such manner and upon terms and conditions in all respects as they think fit.</p> <p>However, where any question arises involving either the raising or borrowing of money or the incurring of any capital expenditure by the Samajam of more than \$500,000.00 for any one project, then that question and any other question arising out of the same or incidental thereto shall be decided by a majority vote of the members entitled to vote, expressed in person or virtually at a General Meeting.</p>
14.2	The EXCO shall have the power to grant the use of designated areas of Samajam's premises to any member for such time and upon such conditions as the EXCO or any authorised officer of the Samajam thinks fit. The EXCO may at its discretion impose an extra charge on a member for such exclusive use of any part of Samajam's premises.
14.3	The EXCO shall have the power to appoint, control, pay and dismiss employees of the Samajam or persons involved in its undertakings, and shall also have such administrative powers as may be necessary for carrying out the objects of Samajam in accordance with this Constitution. The Committee may authorise its members and employees to incur such expenditure as may be necessary, for the objects and purposes of the Samajam from time to time.
14.4	The EXCO shall have full power to make, amend or repeal by-laws regulating the affairs of Samajam and to promote and fulfil the objectives of Samajam. Such by-laws so made, added to, altered or repealed shall come into operation immediately or at such time as is fixed by the EXCO. The EXCO shall further have full power to decide on all questions relating to the management of Samajam and on all questions arising out of or not covered by any Articles or by-laws and such decision shall be final unless and until altered or reversed by resolution of the members of Samajam at the General Meeting.
14.5	To organise and supervise the activities of the Samajam and to make decisions on matters affecting the running of the Samajam.
14.6	The EXCO may authorise the expenditure of a sum not exceeding \$50,000 per month on operating expenses other than for special events or activities.
14.7	To decide on any matters not covered by these Articles as and when required and are deemed necessary or expedient.
14.8	<p><b>ACQUISITION OF AND DEALING WITH ITS PROPERTIES</b></p> <ul style="list-style-type: none"> <li>a. The EXCO may purchase or acquire such movable or immovable properties as and when required for the objects and purposes of Samajam;</li> <li>b. invest any funds of Samajam on any investments authorised by law for the investment of trust funds.</li> <li>c. sell, realise, vary or otherwise deal with any movable property or investments of Samajam.</li> </ul>

14.9	The investments and immovable property of Samajam shall be held by the BOT as trustees. The BOT shall act in a “nominee” capacity and shall not be responsible to Samajam for the management of such property and shall be indemnified by Samajam for any liability which may result from holding any property as trustees for Samajam.
14.10	<p><b>DISPOSAL OF PROPERTY</b></p> <p>The EXCO shall with the prior sanction of a General Meeting, have the powers to:</p> <ol style="list-style-type: none"> <li>a. sell, assign, transfer, convey, mortgage, or otherwise dispose of any immovable property of Samajam.</li> <li>b. raise funds for particular projects of Samajam by the imposition of levies on members or in any other manner as approved by the General Meeting.</li> </ol>
14.11	To appoint standing committees and sub-committees and delegate to them such powers of the EXCO as it may deem necessary. All such appointments shall cease or deemed to have come to an end on the formation of a new EXCO or the convening of the AGM whichever is the earlier.
14.12	To appoint any member of the EXCO to carry out the duties of any other EXCO member when found necessary in accordance with Article 13.4(c).
14.13	To authorise any of its EXCO members or employees to sign contracts and or agreements relating to the objects and activities of the Samajam
14.14	To accept or decline donations on behalf of the Samajam.
14.15	To decide on any matter not covered by this Constitution, by-laws.
15	<b>ROLES AND RESPONSIBILITES OF EXCO</b>
15.1	<p><b>President</b></p> <p>The President shall preside at all EXCO Meetings and General Meetings and shall exercise general supervision of the work of the Samajam. He and the Secretary shall approve the Minutes of every meeting. He shall have a casting vote in the event of a tie during the voting at EXCO meetings.</p> <p>The President shall countersign all bills passed by the Finance Committee.</p> <p>The President shall be an ex-officio member of all subcommittees including the Finance Committee. The President or his nominee, if so, authorised by the EXCO, shall represent the Samajam in its dealings with other organisations and individuals and may issue statements to the media on behalf of the Samajam.</p>
15.2	<p><b>Vice-Presidents</b></p> <p>The Vice-Presidents shall act in place of the President in his absence. The two (2) Vice-Presidents shall assist the President in his duties at all times in managing and running the Samajam in the following two broad categories:</p> <ol style="list-style-type: none"> <li>a. One of the Vice Presidents shall assist the EXCO and President in overseeing cultural, educational and social / charitable activities.</li> </ol>

	<p>b. The other Vice President shall assist the EXCO and President in overseeing religious and temple matters.</p> <p>All the powers, duties and responsibilities of the President shall in his absence be vested in one of the Vice Presidents nominated by the President to take over in his absence.</p>
15.3	<p><b>Secretary</b></p> <p>a. The Secretary shall be responsible for all records of the Samajam other than in relation to financial matters including correct minutes of all proceedings of the EXCO and all General Meetings.</p> <p>b. The Secretary shall maintain appropriate records, deal with all correspondence and be responsible for the proper administration of the Samajam.</p> <p>c. He shall convene the EXCO Meetings at least once in two (2) months or whenever the President deems it necessary. He shall compile minutes of all EXCO and General Meetings.</p> <p>d. He shall prepare the Annual Return and other documents required under the Societies Act and shall send them to the Registrar of Societies and pay the prescribed fees.</p> <p>e. He shall compile and update the Register of Members of the Samajam.</p>
15.4	<p><b>Assistant Secretaries</b></p> <p>The Assistant Secretaries shall assist the Secretary and shall take over his duties in his absence. The Assistant Secretaries shall;</p> <p>a. act under the guidance of the Secretary in any of the latter's duties</p> <p>b. assume duties of the Secretary in the latter's absence;</p>
15.5	<p><b>Treasurer</b></p> <p>The Treasurer shall be responsible for the following:</p> <p>a. Shall keep and be responsible for proper administration of all funds belonging to the Samajam and shall collect and distribute all moneys on behalf of the Samajam. He shall maintain proper financial records and keep an account of all monetary transactions, cheques and other banking and financial documents.</p> <p>b. To receive all monies due to the Samajam and deposit them in the bank or banks in accordance with the relevant Articles of this Constitution. To ensure that the petty cash in hand does not exceed \$1,000 and that any cash in excess of the stipulated amount is banked at the first opportunity. He shall be responsible for the signing of all receipts</p> <p>c. To ensure there is proper separation and demarcation of the "members' assets" and the "temple and charity assets".</p> <p>d. To keep all accounts and pay for all expenses of the Samajam as authorized by the General Meetings and the EXCO.</p> <p>e. To present financial statements and all matters relating to financial matters to the EXCO at its meetings.</p> <p>f. To prepare annually a detailed statement of Income and Expenditure and a Balance Sheet in accordance with the requirements of the Constitution and the Registrar of Societies which shall be presented to the AGM .</p> <p>g. To submit all accounts to the Internal Auditors for an annual audit and to the Samajam's External Auditor for annual audit.</p>

	<p>h. To ensure that all monies due to the Samajam are promptly collected, and to ensure compliance with the constitution especially Articles 6.1 and 19.1.</p> <p>i. The Treasurer shall report to the EXCO of any discrepancies or misappropriation of Samajam's monies for further inquiry.</p>
15.6	<p><b>Assistant Treasurer</b></p> <p>The Assistant Treasurer shall carry out and discharge under the direction of the Treasurer or in the absence of the Treasurer under the direction of the EXCO such duties in regard to the business of the Samajam as they may from time to time be required.</p>
15.7	<p><b>Committee Member</b></p> <p>The Committee Members shall assist the EXCO in promoting and enhancing the objects of the Samajam and carry out duties and responsibilities, as Chairpersons or any other capacity, of the various committees, subcommittees, task forces or in any other capacity, which are assigned to them by the EXCO and/or the General Body.</p>
16	<p><b>EXECUTIVE COMMITTEE (EXCO) MEETING</b></p>
16.1	<p>The EXCO shall meet at least once in two (2) months and the Secretary shall give at least one (1) calendar weeks' notice to the EXCO members unless the President decides that shorter notice is to be given, which in any event shall not be less than twenty-four (24) hours.</p>
16.2	<p>The quorum for EXCO meetings shall be a simple majority of the membership of the EXCO.</p>
16.3	<p>A member of the EXCO who fails to attend three consecutive meetings without a satisfactory explanation shall cease to be a member thereof and such vacancies shall be filled up as provided for in Article 13.4.</p>
17	<p><b>COMMUNICATION WITH MEMBERS</b></p>
17.1	<p>Members shall notify the Secretary of changes in their addresses and personal particulars including phone numbers and email addresses. All communications with a member shall be deemed to have been served if despatched to the address in Singapore last notified by him, or via Samajam's website or, news media adopted by the EXCO.</p>
17.2	<p>All communication and notice related to the business of Samajam shall be limited to the members residing in Singapore. However, the Samajam may also notify members who may be abroad by way of emails.</p>
18	<p><b>ONLINE MEETING (and other virtual matters)</b></p> <p>All online and other virtual matters which are not specifically stated in the Constitution shall be stated in the By-Laws of the Samajam. In addition, all the rules and regulations made under the Societies Act and also made by the Singapore authorities shall, as far as possible, be complied with.</p>

18.1	The Samajam needs to satisfy the usual requirements under the Constitution to convene its meeting. The Samajam's members must know that there is a meeting called for, when it will be held, and what will be discussed (notice). For the meeting to be valid, the minimum number of members (quorum) required by the Samajam's Constitution must be present.
18.2	Electronic voting for general meetings is allowed. when conducting online votes, essentially, the Samajam needs to admit only its members to the meeting (identification), allow members to see each other (video) and the presentations (sharing of content), voting only by members. Proxy voting are not allowed during online general meetings.
19	<b>FINANCE</b>
19.1	The funds and assets of the Samajam shall be the property of the Samajam and shall be divided into the "temple and charity assets" and "the members' assets". These shall be considered as separate assets and the temple and charity assets can only be utilised for the temple and charitable purposes. Nothing in these Articles shall prejudice the right of the EXCO to institute proceedings to recover any monies or other assets due to or belonging to the Samajam.
19.2	<b>Formation of Finance Committee</b>  The EXCO may appoint a Finance Committee to provide financial oversight for the Samajam. The tasks include budgeting and financial planning, financial reporting, and the creation and monitoring of internal controls and accountability policies. The Chairperson shall be appointed by the EXCO after consultation with the BOT. The Treasurer and Assistant Treasurer shall be members of the Finance Committee.
19.3	Subject to Article 19.1, all moneys collected shall be deposited to the credit of the Samajam or its sub entities in a Bank or Banks in Singapore approved by the EXCO and subcommittees.
19.4	Subject to Article 19.1, the Samajam's funds shall only be used in furtherance of one or more of the objects of the Samajam and/or for the maintenance of the Samajam or its running expenses.
19.5	Only the Samajam's official receipt shall be used for all monies or donations collected.
19.6	<b>Authorised Signatories</b>  All cheques or withdrawal orders on the Samajam deposited in a bank or banks must be signed (or online transactions) by any two of the following three office bearers -  <ul style="list-style-type: none"> <li>a. The President (or in his absence one of the Vice Presidents duly authorized by the EXCO).</li> <li>b. The Secretary (or in his absence, one of the Assistant Secretaries duly authorized by the EXCO).</li> <li>c. The Treasurer (or in the absence Assistant Treasurer).</li> <li>d. In case a cheque is issued to one of the above signatories, the cheque should be signed by the other two signatories.</li> </ul>

	<p>e. The Treasurer shall preferably be one of the signatories except for any cheque issued in his favour .</p> <p>f. The EXCO may from time to time decide to group the signatories in separate groups, if deemed necessary.</p>
20	<b>FINANCIAL YEAR</b>
20.1	The financial year shall be from 01 January to 31 December of the same year.
21	<b>AUDIT</b>
21.1	<p><b>Internal Auditors</b></p> <p>Two (2) persons who are voting members, and who are not members of EXCO, shall be elected as Internal Auditors at alternate AGMs and shall hold office for a term of two (2) years only and shall not be re-elected for a consecutive term without a break of at least one term.</p>
21.2	The Internal Auditors shall at the beginning of each month thoroughly examine all the accounts kept by the Secretariat and /or Treasurer including Temple accounts, check all receipts and payments and shall certify accordingly. They shall have access to all books, accounts, vouchers and other documents of the Samajam which they may consider necessary. They shall ensure that the temple and charity assets are kept separate from the members' assets.
21.3	The Internal Auditors shall be required to audit each year's account and present a report upon them to the EXCO. If there is any vacancy in the office of the Internal Auditors, the EXCO shall appoint a member to fill the position till the next AGM.
21.4	<p><b>Appointment of External Auditor</b></p> <p>a. A firm of Public Accountants and Chartered Accountants shall be appointed as External Auditors at each AGM for a term of two years and shall be eligible for reappointment for a maximum of three (3) terms of 6 years.</p> <p>b. An External Auditor shall be appointed to assist the EXCO to fulfil its corporate governance and oversee responsibilities in relation to Samajam's financial reporting, internal control systems, risk management system and internal and external audit functions.</p> <p>c. The External Auditors will be required to audit each year's accounts of "temple and charity assets" and "members assets" separately and present relevant report(s) upon them to the AGM.</p> <p>d. The External Auditor may be required by the EXCO to conduct a thorough examination of the Samajam's accounts at any time during the year, in addition to the annual check of accounts.</p> <p>e. The EXCO shall be empowered to pay such expenses as may be incurred by employing the services of the External Auditor.</p> <p>f. The accounts of the Association shall be audited by a firm of Certified Public Accountants if the gross income or expenditure of the Samajam exceeds \$500,000 in that financial year, in accordance with the Societies Act and Societies by-laws.</p>
21.5	<b>Formation of Audit Committee</b>

	The EXCO may appoint an Audit Committee to obtain independent information about the Samajam’s activities. The Chairperson shall be appointed by EXCO after consultation with the BOT. The Internal Auditors shall be members of the Audit Committee.
22	<b>ADVISORS</b>
22.1	<b>Advisors to Samajam</b> The Advisors, who shall be senior members of the Samajam, and /or prominent and well-respected senior members of the Malayalee community and/or the Singapore community, shall be appointed by the EXCO, and shall hold office for a period of one term of two (2) years and may be re-appointed subsequently. They shall serve only as advisers to the Samajam including EXCO, BOT, other subcommittees and shall have no voting rights.
22.2	<b>Legal Advisors</b> The Legal Advisors appointed by the EXCO shall hold office for a period of one term of two (2) years and may be re-appointed subsequently.
23	<b>BOARD OF TRUSTEES</b> <b>Election of Board of Trustees (“BOT”)</b>
23.1	Composition of BOT: A BOT composed of a minimum of three and a maximum of seven members who are Singapore citizens and appointed by the general body of members at the AGM or EOGM shall serve as the legally constituted body to, amongst other things, manage the immovable properties, financial investments, temple business and religious affairs of the Samajam. Only such persons whose eligibility have been considered and advised by Hindu Endowments Board (HEB) may be put for election as Trustees.
23.2	Term of Office: all elected BOT members shall serve a three (3) year term of office and may stand for a further one term of three (3) years at the AGM/EOGM.
23.3	Responsibilities of BOT: all rights, powers, duties, and responsibilities as stated in Article 14.10 and other provisions in this Constitution and relative to the management and control of Samajam property, financial and temple business and religious affairs shall be vested in the BOT for the benefit of the Samajam. These powers exist in BOT as a group and not as an individual. BOT has a duty to ensure that its actions are consistent with the objects and purposes of the Samajam as provided in Article 3 and it shall exercise reasonable care and prudence in managing the affairs of the Samajam.
23.4	<b>Committees</b> BOT has the right to appoint appropriate committees, after consulting the EXCO, and as needed, to assist it in managing the temple and financial matters and religious affairs of the Samajam.

23.5	The Board of Trustees shall nominate a Chairperson and Deputy Chairperson from amongst the Trustees, after consulting the EXCO.
23.6	The President and Secretary shall at all times be ex-officio Members of the BOT but shall not have any vote in any meeting of the BOT and shall not be regarded as Trustees for the purposes of holding any immovable property or assets of the Samajam.
23.7	The BOT shall meet at least 3 times a year, and as and when decided by the Chairperson of the BOT. Seven (7) days' notice shall be given for all meetings unless the Chairperson decides that shorter notice is to be given, which in any event shall not be less than twenty four (24) hours.
23.8	If the Samajam at any time acquires any immovable property, such property shall be vested in the BOT (as in Article 14.9) subject to a declaration of trust. The BOT of the Samajam shall not carry out any steps and shall not effect any sale or mortgage or in any form affect the title and ownership of the immovable property without the prior approval of the EXCO and also the General Meeting of members.
23.9	<p>The office of the trustee shall be vacated:</p> <ol style="list-style-type: none"> <li>a. If the trustee dies or becomes a person lacking mental capacity under the Mental Capacity Act 2008.</li> <li>b. If he is absent from the Republic of Singapore for a continuous period of more than one (1) year and the majority members of BOT is of the view that he shall be replaced.</li> <li>c. If he is guilty of misconduct of such a kind as to render it undesirable that he continues as a trustee, after due process has been accorded to him and there is compliance of Article 23.9(e).</li> <li>d. If he submits notice of resignation from his trusteeship.</li> <li>e. Provided the trustee has been assured and shall be given the rights of natural justice including the right to know the allegations against him, and to be legally represented before an independent Panel of 3 or 5 members of the Disciplinary Committee under Article 27(2) of the Constitution. This independent Panel shall, after a proper hearing, make its findings and shall submit a Written Report with its recommendations to the EXCO, and EXCO shall comply with Article 23.10.</li> </ol>
23.10	Notice of any proposal to remove a trustee from his trusteeship or to appoint a new trustee to fill a vacancy, based on Article 23.9(c) must be given by posting it on the notice board in the Samajam's premises or on the website of the Samajam at least two (2) weeks before the General Meeting at which the proposal is to be discussed and decided upon. If the General Meeting decides to expel the Trustee, then such decision shall be notified to the Commissioner of Charities.
23.11	In the event that there is an interim vacancy resulting from actions triggered by either Article 23.9 or 23.10 in the Board of Trustees, then the remaining Trustees may appoint a replacement Trustee till the next General Meeting. In the event that there are less than 3 of such remaining Trustees, then any such

	replacement Trustee shall be appointed by the Members at the General Meeting in accordance with Article 23.1.
23.12	The address of each immovable property, name of each trustee and any subsequent change must be notified to the Commissioner of Charities.
23.13	The Trustees shall be entitled to receive the notice and minutes of every AGM and meetings of the EXCO dealing with Trustees matters.
23.14	The following actions taken by the EXCO shall require prior consultation and advise of the BOT: <ul style="list-style-type: none"> <li>a. Approval of all policies of the Samajam related to the finances, Management and operation of the Temple, including the investment policy;</li> <li>b. adoption, amendments and repeal of by-laws , laws of the Samajam</li> <li>c. amendments to the Constitution of the Samajam proposed by the EXCO for approval at the General Meetings; and</li> <li>d. investment in or sale of any long term assets (not being immovable assets) of the Samajam (being any asset that has a maturity of more than 12 months).</li> </ul>
23.15	The Board of Trustees shall advise and supervise the conduct of elections of the EXCO, including: <ul style="list-style-type: none"> <li>a. acting as the nominations committee for such elections and assessing whether or not any nominee for the role of any Office Bearer meets the required criterion set out in the Constitution for such appointment; and</li> <li>b. the framing and approval of an Election Code of Conduct which shall be drafted as By-Laws.</li> </ul>
23.16	The prior consultation of the BOT shall be required if the EXCO decides to commence dissolution proceedings of the Samajam.
24	<b>TEMPLE COMMITTEE</b>
24.1	The management of the Samajam Temple shall be vested in a Temple Committee, appointed by the BOT to hold office for 2 years from the date of appointment. The Commissioner of Charities and the HEB shall be notified of the said appointment and / or any changes in the Temple Committee within 14 days of the appointment and / or change.
24.2	As far as possible the rituals in the Temple shall be conducted in accordance with traditions and rites including the Kerala Tantric Tradition and other spiritual forms adopted by the Malayalee community in Kerala and in Singapore.
24.3	The Temple Committee shall work closely with the Temple Priests and seek their inputs in planning religious events and services. The Temple Committee members shall be reasonably well versed in rituals and religious practices representing different viewpoints and philosophies in Hindu religion. This committee shall be charged with the duties of establishing rituals of worship, prepare a calendar of important dates and festivals ahead of time, and oversee the organization of religious functions, festivals and events. It shall prepare budgets for major programmes and shall be overseen by and obtain the approval from the BOT.

24.4	<p>The Temple Committee shall comprise:-</p> <ul style="list-style-type: none"> <li>i. Temple Chairperson</li> <li>ii. Temple Vice Chairperson</li> <li>iii. Temple Secretary</li> <li>iv. Temple Assistant Secretary</li> <li>v. Temple Treasurer</li> <li>vi. Temple Assistant Treasurer</li> <li>vii. Six (6) committee members</li> </ul> <ul style="list-style-type: none"> <li>b. The Temple Chairperson, Temple Vice Chairperson, Temple Secretary and Temple Treasurer shall be Singapore citizens and shall be Malayalees.</li> <li>c. All office bearers of the Temple Committee, except those nominated to the office of Temple Treasurer and Temple Assistant Treasurer may be appointed for a period of three consecutive terms (2 years for each term) and shall be eligible for re-nomination (after a lapse of 2 years) for a further consecutive term.</li> <li>d. A Life or ordinary member of the Samajam may be appointed to the Temple Committee irrespective of the fact that he is member of the EXCO.</li> <li>e. Associate and non-members of the Samajam may be appointed to the Temple Committee but the total number of such members shall not exceed one third of the committee.</li> <li>f. The Temple Committee may co-opt additional members to the committee, in consultation with the BOT and the EXCO, who shall have no voting rights.</li> </ul>
24.5	<p><b>The duties and powers of the Temple Committee</b></p> <ul style="list-style-type: none"> <li>a. To administer and manage the day to day affairs of the temple subject to the overall policy guidelines and decision of the BOT and the EXCO.</li> <li>b. to collect contributions and donations for the maintenance of the Temple and to issue printed receipts for the same but shall not under any circumstances pledge the credit of the Temple or Samajam.</li> <li>c. to organise religious classes, lectures and discourses;</li> <li>d. to submit a report of the activities and financial position of the Temple to the AGM</li> <li>e. to receive, maintain and account for all donations in cash or kind requested to the Temple by devotees;</li> <li>f. to start and operate separate bank accounts related to Temple matters. To receive all monies related to Temple matters and to deposit them in the bank or banks in accordance with the by-laws and directions given by the BOT and/or EXCO.</li> <li>g. to create bye-laws, policies, rules of conduct, guidelines and procedures for the smooth running of Temple and management of the Temple staff.</li> <li>h. to present for adoption by the BOT, EXCO and the AGM a proposed estimate of Income and Expenditure for the ensuing financial year; and</li> <li>i. to engage and fix remuneration for part-time and/or full-time employees and transfer or dismiss them if necessary in so far as is required for the running of the Temple.</li> <li>j. To take all other necessary action related to the Temple matters subject to consultations with BOT and EXCO.</li> </ul>
24.6	<p><b>Duties and Responsibilities of Temple Secretary</b></p> <ul style="list-style-type: none"> <li>a. to maintain correctly and up to date all the Temple records, papers and Registers;</li> </ul>

	<ul style="list-style-type: none"> <li>b. to keep an inventory of movable and immovable property belonging to the Temple;</li> <li>c. to sign on behalf of the Temple Committee and conduct its correspondence;</li> <li>d. to summon and attend the meetings of the Temple Committee;</li> <li>e. to record the proceedings of such meetings in a minute book and to have them duly signed;</li> <li>f. to conduct the ordinary business of the Temple and to perform all the duties entrusted to him by the Temple Committee;</li> <li>g. to keep in safe custody the jewelleries and other valuable documents entrusted to him by the Temple Committee;</li> <li>h. to generally carry out the business of the Temple as directed by the Temple Committee; and</li> <li>i. to send ten days before the AGM copies of the Annual Report and Statement of Accounts for the Temple to the Hon. General Secretary of the Association and to all persons who are not members of the Association but have contributed towards the maintenance of the Temple. Copies shall also be posted on the Temple Notice Board.</li> </ul>
24.7	<p><b>Duties and Responsibilities of Temple Treasurer</b></p> <ul style="list-style-type: none"> <li>a. to be responsible for the proper and punctual keeping of all the Temple accounts and account books;</li> <li>b. to be responsible for the collection of all contributions, donations and other collections and to issue receipts for same; and</li> <li>c. to take charge of all monies received by the Temple from members and others and to make disbursements in accordance with the directions of the Temple Committee; and</li> <li>d. to ensure that all monies and other assets received in any form and for the purposes of the temple(s) and /or for charitable purposes (“temple and charity assets”) shall be kept separate and apart from the other monies and assets belonging to the Samajam (“members’ assets”).</li> </ul>
24.8	<p><b>Meetings of the Temple Committee</b></p> <ul style="list-style-type: none"> <li>a. A Temple Committee meeting shall be held once a month;</li> <li>b. The Temple Committee meeting may be held on the written request of the Chairperson or on the written request of five committee members;</li> <li>c. Five clear days’ notice shall be given to the members of the Temple Committee for its monthly meetings;</li> <li>d. Two clear days’ notice shall be given to the members of the Temple Committee if the meeting is called at the request of the Chairperson or five committee members;</li> <li>e. The quorum for a Temple Committee meeting shall be half of the current Temple Committee members, excluding the co-opted members.</li> <li>f. The Chairperson or in his absence, a member appointed by the meeting shall take the chair and shall have casting vote.</li> <li>g. Any member of Temple Committee not attending three consecutive meetings shall cease to be a member of the Temple Committee and shall cease to hold office unless he gives a valid reason acceptable to the Temple Committee.</li> </ul>
24.9	<p>The BOT shall nominate a member to the Temple committee to fill up casual vacancies and BOT may, if necessary and for good reasons, remove any member</p>

	including office bearers from the Temple Committee, in compliance with the relevant Articles of the Constitution.
24.10	The Chairperson, Secretary and Treasurer of the Temple Committee may attend EXCO meetings of the Samajam dealing with temple and religious matters, and similarly the President, Secretary and Treasurer of the Samajam are entitled to attend the meeting of the Temple Committee on all matters, without voting rights.
24.11	It shall be the duty of any person or persons who collect funds in the name of the Temple or who collects for any function or work to be carried out in the Temple to issue printed receipts for any money collected and to render a complete statement of accounts to the Temple Committee. There shall be comprehensive by-Laws relating to Temple matters and especially on moneys to be collected.
24.12	The accounts of the Temple shall be audited once every four months by the Internal Auditors of the Samajam.
24.13	No amount exceeding five hundred dollars (\$500.00) a month shall be spent by the Temple Secretary or the Temple Treasurer without the sanction of the Temple Committee. Such legitimate spending shall be cleared during the subsequent Temple committee meetings.
24.14	All monies above five hundred dollars (\$500.00) shall be deposited in one of the local banks and cheques can be drawn on the joint signatures of the Temple Chairperson, the Temple Secretary and the Temple Treasurer.
24.15	The Temple Committee shall abide by the Samajam Constitution and its by-Laws wherever applicable.
24.16	The Temple Committee shall not dispose of any movable property of the Temple except with the express consent of the EXCO of the Samajam or the BOT or the consent of a specific donor or donors as the case may be.
24.17	The Finance Committee of the temple shall be appointed by the EXCO in consultation with the BOT.
24.18	<p>Temple Finance Committee</p> <p>The Temple Finance Committee shall be appointed by the EXCO after consultation with the BOT and shall-</p> <ol style="list-style-type: none"> <li>a. Meet at least once a month and submit a monthly report to the Temple Committee;</li> <li>b. Be responsible to the Temple Committee;</li> <li>c. all estimated expenditure relating to the temple before recommending for approval of the Temple Committee;</li> <li>d. undertake the collection and accounting of all income of a routine and/or non-routine nature resulting from the activities of the Temple Committee and Sub-Committees formed under it.</li> </ol>

24.19	The Temple Committee may appoint standing committees or subcommittees in consultation with the BOT and EXCO, for the operation and activities at the Temple.
24.20	The Temple Committee shall ensure that details giving meaning and significance of religious event celebrations, ceremonies and discourses are made available in English and in Malayalam to attract and retain interest of the devotees and members.
24.21	Priests: The Temple Priests shall perform rituals, conduct religious ceremonies and events in accordance with Article 24.2. The Priests shall be paid employees of Samajam and/or its subsidiaries or related entities in Singapore. The Temple Committee shall serve as the selection and hiring committee for the temple priests. The BOT shall be responsible for the final hiring decisions based on the recommendations of the Temple Committee. The Priests and EXCO shall execute a contract of employment stipulating the tenure and conditions of employment. The terms and conditions of employment shall be subject to the employment laws of Singapore including the Employment Act 1968 and may be varied or amended from time to time by the BOT.
24.22	Performance Evaluation of Priests: The Temple Committee shall work closely with the Priests and shall be responsible for evaluating their performance and in making recommendations to BOT for their continued employment. All official communications between BOT and the Priests shall be routed through the Temple Committee chairperson. After successful completion of a probationary period of one year, the Priest shall be employed for two years in the first instance, and a subsequent term could be extended for three-year tenures or such period and terms as may be decided by BOT from time to time in accordance with the Government rules and requirements.
24.23	Terms and Conditions of Employment: the terms and conditions of the Priest's employment may be changed only on the recommendation of the Temple Committee and the recommended action must be supported by at least 2/3rd of the total BOT members present and voting in favour of that recommendation.
24.24	Disciplinary action: to initiate disciplinary action against any Priest or other employees connected to the Temple including termination or expulsion, the Temple Committee must first make its recommendations to BOT; and that Priest has the option to submit his disagreements and grievances to BOT for resolution. BOT shall make every effort to resolve the situation amicably. BOT, however, may consider appointing an independent body composed of at least three members from the temple community excluding members of the Temple Committee to investigate the dispute. Members of the EXCO may be asked to serve in that capacity. This independent body shall make its report to BOT. The disciplinary action against the Priests including removal of a Priest must be supported by at least a 2/3rd majority of the total BOT and at least a 2/3rd majority of the total EXCO attending and voting.

24.25	The Temple Committee shall submit its Annual Report and Annual Financial Statements to the BOT and the EXCO annually and in any event within Two (2) months from the end of the financial year (31 December).
24.26	<p><b>SPECIAL COMMITTEES</b></p> <p>a. A Special Committee or Committees as shall be required for any special purpose shall be elected at an AGM or any General Meeting convened under Article 8 and shall be vested with such powers as the AGM or General Meeting shall confer on such special Committee or Committees.</p> <p>b. Any Special Committee or Committees elected under the sub-Article (a) above shall remain in office until the purpose for which it has been elected has been accomplished or until it is dissolved at any subsequent General Meeting, whichever shall happen first, and shall submit a report of its activities to every AGM held after its election.</p>
25	<b>GENERAL</b>
25.1	A member's rights and privileges shall be suspended as long as the member is an employee of the Samajam, and the member need not pay any prescribed fee whilst employed by the Samajam. Such rule shall also apply to members who may have conflict of interest with the Samajam as decided by the EXCO.
25.2	All members shall faithfully and fully abide by every decision made by the Samajam or by the EXCO until such time as the decision is amended or revoked. Members must play an active part and ensure they contribute time and effort and volunteer in Samajam activities and must abide diligently the revisions of the Constitution and by-Laws.
25.3	No press release in the name of the Samajam may be made without the prior sanction of the President or person authorised by the EXCO.
25.4	Save as may be permitted by the EXCO, no member shall give the address of the Samajam in any advertisement, or use the Association's address, or the Samajam's premises, for any purpose. All complaints shall be made in writing, through electronic mail or letter, to the Hon. General Secretary who, if unable to deal with them, shall submit them to the EXCO whose decision shall be final unless reversed at a general meeting of members. In no instance shall an employee of the Samajam be reprimanded directly by a member, other than by a member of the EXCO.
25.5	Any member who wilfully damages, destroys, removes, pawns, mortgages, sells or otherwise disposes of any movable or immovable property of the Association shall be liable to repair or replace the same or pay such compensation in cash to the Samajam and within such time as the EXCO shall, in consultation with the Legal Adviser, decide.
25.6	The accounts of Samajam shall be audited at the close of each financial year (where the amount involved exceeds \$500,000) by a public accountant as defined in the Accountants Act 2004 not less than one month before the AGM who shall certify the correctness of the Statement of Accounts to be submitted

	to the Meeting. The public accountant shall be appointed or removed at a General Meeting.
25.7	No member shall, except for being employed by Samajam on a full-time basis or for professional services rendered at the request of the EXCO, receive any profit, salary or emolument from the funds or transactions of Samajam. A member may be reimbursed all reasonable expenses incurred with prior sanctions from the EXCO.
26	<b>CONFLICT OF INTEREST</b>
26.1	Whenever a Member of the BOT, EXCO, Temple Committee or any subcommittee including special committee ("such said committee") in any way, directly or indirectly, has an interest in a transaction or project or other matter to be discussed at a meeting, the Member shall disclose the nature of his interest before the discussion on the matter begins.
26.2	The Member concerned should not participate in the discussion or vote on the matter and should also offer to withdraw from the meeting and such said committee shall decide if this should be accepted.
27	<b>MEDIATION AND DISCIPLINARY HEARING</b>
27.1	The EXCO may, upon receipt of a complaint made against a member, refer the complaint to a Sub-Committee (hereinafter referred to as "the Disciplinary Sub-Committee") before referring the matter to the EXCO.
27.2	There shall be at least five members appointed by the EXCO to sit as panel members of the Disciplinary Sub-Committee. At all times for the purpose of hearing conducted by the Disciplinary Sub-Committee, there must be at least three members of the Disciplinary Sub-Committee conducting the said hearing. The member or party involved may engage legal counsel at the said hearing.  There shall be at least three members appointed by EXCO to sit on the Panel of Mediators.
27.3	Upon receipt of a complaint referred by the EXCO, the Chairperson of the Disciplinary Sub-Committee (or in the Chairperson's absence, the Deputy Chairperson) may, in the Chairperson's discretion, appoint a member from Samajam's Panel of Mediators to act as a mediator who shall attempt to mediate between the members or parties involved in order to resolve the disputes or differences that have arisen in the complaint. The appointed mediator shall have the power to require the members or parties involved (including any employees of the Samajam) to attend before the mediator for the mediation process. For the avoidance of doubt, this shall not amount to any obligation on the part of any member or party involved to attempt mediation or to agree to mediation as a means of resolving their disputes or differences. The appointed mediator shall report the outcome of the mediation to the Chairperson of the Disciplinary Sub-Committee, who shall in turn inform the EXCO of the same if the said mediation is successful or proceed to convene a hearing of the complaint in accordance with this Article.

27.4	<p>In the event that the mediation fails for any reason whatsoever or in the event that the Chairperson (or the Deputy Chairperson, as the case may be) of the Disciplinary Sub-Committee, in the Chairperson's discretion, deems that the mediation shall not be appropriate for the resolution of the disputes or differences that have arisen in the complaint; the Disciplinary Sub-Committee shall convene a hearing to consider and decide on the complaint. The Disciplinary Sub-Committee shall give all members or parties involved a minimum of 21 days' notice in writing to attend the said hearing. In this notice to the member who is the subject of the complaint, sufficient particulars of the complaint shall be provided to the said member who shall be given sufficient opportunity to reply to the issues in the complaint in writing prior to the said hearing. If any member or party refuses or fails to attend the said hearing, the Disciplinary Sub-Committee may nevertheless proceed with the proceedings of the hearing in the absence of such member or party. For the avoidance of doubt, the Disciplinary Sub-Committee shall have the power to determine the manner of conduct of the hearing including but not limited to the power to postpone or adjourn the hearing if it deems fit to do so.</p>
27.5	<p>The Disciplinary Sub-Committee may in its discretion suspend all or any of the privileges of a member who is the subject of the complaint for such period as it deems fit or until the hearing has been held and duly decided, whichever is earlier.</p>
27.6	<p>At the conclusion of the hearing held to decide on the complaint, the Disciplinary Sub-Committee shall decide whether the member involved has infringed or broken any provision of the Articles of Samajam or the by-laws of the Samajam or has acted in a manner prejudicial to the interests or the good name of the Samajam. The Disciplinary Sub-Committee shall have the power to:</p> <ul style="list-style-type: none"> <li>-</li> <li>a. Expel such a member from the membership of the Samajam if such member has, in its opinion, acted or conducted in such manner rendering such member unfit for membership in the Samajam;</li> <li>b. Suspend all or any of the privileges of such a member for any period not more than eighteen (18) months from the date of such decision;</li> <li>c. censure the member concerned;</li> <li>d. give written, through electronic mail or letter, and/or oral warnings to such a member in respect of such member's conduct or action in the complaint;</li> <li>e. require the member concerned to give such undertaking as the Disciplinary Sub-Committee thinks fit to abstain in future from the conduct complained of;</li> <li>f. Dismiss the complaint made against such a member on such terms as it deems fit; and</li> <li>g. Make any other order as it deems just and equitable to do so in the circumstances.</li> </ul>
27.7	<p>The Disciplinary Sub-Committee shall as soon as it reaches the decision as mentioned in the preceding provision inform the EXCO of its decision. Subject to Article 27.8, the EXCO shall direct the Secretary to inform the members or parties involved of the decision of the Disciplinary Sub-Committee in writing. For the avoidance of doubt, the EXCO shall have the power to publish the</p>

	outcome of the hearing to the members of the Samajam in any media of communications including its website.
27.8	Notwithstanding anything in this Article or any other Articles, the EXCO shall have the power to review and alter any decision of the Disciplinary Sub-Committee as mentioned in Article 27.6. For the purpose of such review, the EXCO shall have the power to review all documents of the proceedings and may in its discretion require such evidence as it deems fit. Upon completion of such review, the EXCO shall inform the Disciplinary Sub-Committee of its decision and shall proceed to notify the members or parties involved of the decision in writing accordingly.
27.9	Notwithstanding anything in this Article, the EXCO shall have the power to hear and decide on any complaint without referring the complaint to the Disciplinary Sub-Committee. In this regard, the EXCO may exercise all or any of the powers of the Disciplinary Sub-Committee as stated in this Article.
27.10	<p><b>Review/Appeal Against Decision of the Disciplinary Sub-Committee</b></p> <p>a. Any member who is dissatisfied with the decision and/or the penalty imposed by the Disciplinary Sub-Committee in the preceding Article shall have the right, within twenty-one (21) days of the posting of the decision, to appeal to the EXCO in writing to reconsider the decision and/or penalty decided by the Disciplinary Sub-Committee. Such a member may in the discretion of the EXCO, be given an opportunity to attend before the EXCO (which shall not comprise of any member of the Disciplinary Sub-Committee for this purpose) to make written and/or oral representations in support of such appeal. Such member may engage a legal counsel at the said review/appeal hearing.</p> <p>b. The EXCO shall, upon reviewing and/or hearing the representations of such member, have the power to make all or any of the following orders:</p> <p>(i) Dismiss the appeal;</p> <p>(ii) Vary, add or remove all or any of the penalties imposed;</p> <p>(iii) Reconvene and conduct the entire hearing of the complaint; and</p> <p>(iv) Make such orders as it deems just and equitable to do so in the circumstances.</p> <p>c. In the event that the initial hearing under Article 27.10 (b) was conducted by the EXCO, the member, who is dissatisfied with the decision and/or penalty imposed by the EXCO shall have the right within twenty-one (21) days of posting of the decision to submit a written appeal to the EXCO to reconsider its decision. The EXCO may after consideration of such appeal make any of the orders as mentioned in the preceding sub-Article.</p> <p>d. Subject to Article 27.10 (b), the decision of the EXCO in this Article shall be final and binding on that member. A member expelled under the above articles may within one month of the notification of his expulsion, appeal to the General Meeting of members against the decision of the EXCO. The decision of the General Meeting shall be final.</p>
28	<p><b>DEFINITIONS and INTERPRETATIONS</b></p> <p>In this Constitution its by-Laws made thereunder, unless there be something repugnant in the subject matter or context:</p>
28.1	“by-Laws” include Rules, Regulations and other enactments.

28.2	Charities Act: means the Charities Act 1994 or any statutory modification, amendment, or re-enactment thereof for the time being in force or any and every other act for the time being in force concerning charities and affecting the Company and any reference to any provision of the Charities Act is to that provision as so modified, amended, or re-enacted or contained in any such subsequent Charities Act.
28.3	Commissioner of Charities means the Commissioner appointed under the Charities Act.
28.4	EXCO – means the members of the Executive Committee elected pursuant to Article 11;
28.5	General Meetings – includes AGMs and EOGMs.
28.6	“he” will also be implied to mean “she” or other sexes and genders and masculine shall also mean to include feminine and all other genders (and vice versa), unless the context so otherwise determines;
28.7	Hinduism - emphasizes dharma (righteousness) with its resulting ritual and social observances and often mystical contemplation and ascetic practices.
28.8	Hindu Endowments Board (HEB) - The Hindu Endowments Board (HEB) is a statutory body set up under the Hindu Endowments Act 1968. Its role, as set out in the Act, is to administer those endowments placed under its administration.
28.9	Hindus are persons who regard themselves as culturally, ethnically, or religiously adhering to aspects of Hinduism.
28.10	Institution of a Public Character (“IPC”) has the meaning given to it in the Charities Act.
28.11	Kerala Tantric Tradition - an offshoot or synthesis of Saiddhantika and Pancaratra tantric ritual rites. It is a tradition deeply rooted within the Vedic ritualistic fold and characterized by Smarta-Pauranika beliefs and customs and usually practice in Temples in Kerala.
28.12	Malayalee /Malayali - for the purposes of the Samajam shall be: (i) One whose mother tongue is Malayalam; or (ii) One whose ancestors are of Kerala origin; or (iii) One who is married to a person belonging to category (i) or (ii).
28.13	Member’s family – Includes spouse, children (below the age of 21) and parents of the Member
28.14	Month - Month shall mean calendar month and for the purposes of subscription shall be the period from the first to the last day of every month;

28.15	person includes any individual, firm, company, corporation, government, state or agency of a state or any association, trust, joint venture, consortium or partnership (whether or not having separate legal personality).
28.16	“Physical “and “virtual”- may include each other where necessary.
28.17	Quorum – the minimum number of members that must be present at any of its meetings to make the proceedings of that meeting valid when the meeting commences but need not have the quorum thereafter for the meeting to be valid
28.187	Resident of Singapore – a person residing in Singapore except for such temporary absences therefrom as may be reasonable and not inconsistent with a claim by such person to be resident in Singapore, and includes a person who is physically present or who exercises an employment in Singapore for at least half the year (183 days or more during a year).
28.19	Samajam - The “Samajam” shall mean the Singapore Malayalee Hindu Samajam.
28.20	Term – shall be two (2) years unless otherwise stipulated.
28.21	Virtual - not physically existing as such but made by software to appear to do so. Where appropriate may include “physical” too.
28.22	Youth – Persons who are above 18 years and below 36 years old.
28.23	‘In writing’ shall mean written or printed or partly written or printed or in electronic form;
28.24	Words importing the singular number shall include the plural number and vice-versa;
28.25	Words importing the masculine gender shall include (where the context admits) the feminine gender and all genders;
28.26	A provision or law is a reference to that provision as amended or re-enacted.
28.27	The term “including” shall be constructed as “including without limitation” (and cognate expressions shall be constructed similarly).
28.28	In the event of any question or matter pertaining to the day-to-day administration, which is not expressly provided for in this Constitution, the EXCO shall have the power to use their own discretion to decide and progress on the matter. The decision of the Committee shall be final unless it is reversed at a General Meeting of members.
29	<b>PROHIBITIONS</b>
29.1	Gambling of any kind, excluding the promotion or conduct of a private lottery which has been permitted under the Private Lotteries Act Cap 250, is forbidden on the Samajam’s premises. The introduction of materials for gambling or drug taking and of bad characters into the premises is prohibited.

29.2	The funds of the Samajam shall not be used to pay the fines of members who have been convicted in court of law.
29.3	The Samajam shall not engage in any trade union activity as defined in any written law relating to trade unions for the time being in force in Singapore.
29.4	The Samajam shall not hold any lottery, whether confined to its members or not, in the name of the Samajam or its office-bearers, Committee or members unless with the prior approval of the relevant authorities.
29.5	The Samajam shall not raise funds from the public for whatever purposes without the prior approval in writing to the Assistant Director Operations, Licensing Division, Singapore Police Force and other relevant authorities.
29.6	For as long as the Samajam is registered as a charity under the Charities Act, if upon the dissolution of the Samajam there remains, after satisfaction of all its debts, liabilities, any property whatsoever, the same shall not be paid to or distributed amongst the members of the Samajam, but shall be given or transferred to some other charity or charities registered under the Charities Act, having objects similar to the Samajam or some charitable object. Such institution shall be an institution of a public character and a charity registered under the Charities Act.
30	<b>AMENDMENTS TO THE CONSTITUTION</b>
30.1	The Samajam shall not amend its Constitution without the prior approval in writing of the Registrar of Societies. No alteration or addition/deletion to this Constitution shall be passed except at a general meeting or extra ordinary general meeting and with the consent of two-thirds (2/3) of the voting members present at the General Meeting.
30.2	In case of members abstaining from voting during the General Meeting, the number of members abstaining shall not be counted for purposes of counting of votes for or against the proposed amendments to the constitution.
31	<b>DISSOLUTION</b>
31.1	Subject to Article 23.16, the Samajam shall not be dissolved except with the consent of not less than three-fifths of the members of the Samajam eligible to vote and for the time being resident in Singapore, expressed, either in person at a General Meeting convened for the purpose, or by postal vote.
31.2	In the event the Samajam shall be dissolved as provided above, all debts and liabilities legally incurred on behalf of the Samajam shall be fully discharged, and the remaining funds will be disposed of in such a manner as the General Meeting of members may determine and shall be donated to an approved charity or charities in Singapore.
31.3	Notice of dissolution shall be given within seven (7) days of dissolution to the Registrar of Societies, the Commissioner of Charities and the HEB.