





## VANI SHRI GURU RAVIDASS JI

Who other than thee can do such a thing, O my Lord?  
Merciful to the poor is my Lord. Who hath put the canopy  
(Of Spiritual Sovereignty) over my head.

He whose touch defiled the world, on such a one as me,  
thou alone can bestow Thy Grace.

My Lord turned the lowest into the highest, and  
feareth not anyone.

Namdev, Kabir, Trilochan, Sadna, and Sain were saved by  
him.

Listen, O Holy men, sayeth Ravidass,  
Everything is accomplished by my Lord.

**Constitution of**

**Shri Guru Ravidass Dharmik Sabha (Wolverhampton)**

adopted 7 December 2017

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**1 Name and details of the Association**

- 1.1 The name of the association is Shri Guru Ravidass Dharmik Sabha (Wolverhampton) ("**the Sabha**").
- 1.2 The Sabha is an unincorporated association of members of the Ravidassia community/Ad-Dharmi community resident in and around the City of Wolverhampton, West Midlands, United Kingdom.
- 1.3 The premises of the Sabha comprise the temple and principal office at 181 Dudley Road, Wolverhampton, West Midlands WV2 3DR and the Community Centre at 372-379 Dudley Road, Wolverhampton, West Midlands WV2 3AY.
- 1.4 The structure of the Sabha and its constituent bodies shall be as follows:
- 1.4.1 The **General Body** of the Sabha which:
- (a) shall comprise the entire membership of the Sabha; and
  - (b) shall exercise certain powers of the Sabha in accordance with clause 8.
- 1.4.2 The **Executive Committee** of the Sabha which shall comprise **Office Holders**:
- (a) all of whose titles and roles are set out in clause 10.4;
  - (b) who shall be drawn from the General Body and shall be elected at the intervals and in the manner described in clause 11 to serve terms not exceeding three (3) years (subject to the provisions of clause 11); and
  - (c) who shall exercise the powers and discharge the duties of charity trustees (as defined in Section 177 Charities Act 2011) and those duties specifically set out in clause 10.
- 1.4.3 The **Holding Trustees** of the Sabha who:
- (a) shall be drawn from the General Body and shall be elected at the intervals and in the manner described in clause 12 to serve terms not exceeding five (5) years (subject to the provisions of clause 12);
  - (b) shall be wholly independent of the Executive Committee; and
  - (c) shall exercise the powers and duties of holding trustees and those duties specifically set out in clause 12.
- 1.4.4 The **Election Board**, whose members:
- (a) shall be drawn from the General Body and
  - (b) shall be appointed by the Executive Committee and shall exercise the powers and discharge the duties in relation to the management of elections as set out in clause 19.

## 2 Objects

The objects of the Sabha are:

- 2.1 To advance for the benefit of the community in and around the City of Wolverhampton, Dudley, Tipton and (for the avoidance of doubt) the following areas:

Cannock Road, Bushbury, Park Village, Wednesfield, Whitmore-Reans, Oxley, Tettenhall, Penn, Pennfield, Merridale, Finchfield, All Saints, Parkfield, Lanesfield, Sedgemore Park, Tipton, Rough Hill, Dudley Town, Dudley Road, Blakenhall, Goldthorn Area, Sedgley, Bilston, Stowheath, Ettingshall, Bradley, Coseley Road and Willenhall Road;

and generally, the religious, spiritual and philosophical values and principles and social teachings of Shri Guru Ravidass Ji as expressed:

2.1.1 through the personal example and the literary and spiritual writings of Shri Guru Ravidass Ji; and

2.1.2 through forms of prayer, worship and ceremony as practiced by Shri Guru Ravidass Ji and in accordance with certain traditions established by his followers over time.

- 2.2 To do so:

2.2.1 through the holding of services, prayer meetings and public celebrations of religious festivals; and

2.2.2 through the conduct of lectures and seminars, the establishment of literary committees and the production of publications and broadcasts.

- 2.3 To promote:

2.3.1 a deeper understanding, within both the local and the wider community, of the distinctive features of the religious and social teachings of Shri Guru Ravidass Ji; and

2.3.2 a deeper awareness of the common and shared values between people of different faiths so as to promote harmonious relations between different communities and faith groups.

- 2.4 To provide members of the Sabha, and members of the wider community who may be in need the following facilities, services and benefits:

2.4.1 food and nourishment (Langar) free of charge, and other forms of relief of poverty;

2.4.2 social and/or community facilities, free of charge or at low cost;

2.4.3 mother tongue teaching, free of charge or at low cost;

2.4.4 spaces, facilities and services:

(a) to meet the needs of:

- i the elderly;
  - ii the young;
  - iii parents and infants;
  - iv those with disabilities; and
  - v those in need of language and cultural skills, literacy, numeracy and cultural skills; and
- (b) to provide health, wellbeing and sports and fitness pursuits and activities for the general benefit of the community.

### 3 Powers

3.1 The Sabha shall have the powers set out in clause 3.2 of this Constitution, which shall be exercised in pursuit of the Sabha's objects set out in clause 2, or any other activity reasonably ancillary thereto, and for no other purposes.

3.2 The Sabha's powers are:

- 3.2.1 To borrow money and to charge the whole or any part of its property as security for the repayment of the money borrowed (provided that the Sabha shall comply as appropriate with sections 124 and 125 of the Charities Act 2011 if it wishes to mortgage land);
- 3.2.2 To buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
- 3.2.3 To sell, lease or otherwise dispose of all or any part of the property belonging to the Sabha (provided that in exercising this power, the Sabha shall comply as appropriate with sections 117 and 119-123 of the Charities Act 2011);
- 3.2.4 To employ and remunerate such staff as are necessary for carrying out the work of the Sabha, but the Sabha may employ or remunerate its Office Bearers (who are defined in clause 10 and who collectively form the Executive Committee which term is also defined in clause 10) only to the extent that it is permitted to do so by clause 5 and provided that the conditions in those clauses are satisfied;
- 3.2.5 To deposit or invest funds and to apply for, receive and spend grant funding and sums of a revenue and capital nature;
- 3.2.6 To employ a professional fund-manager;
- 3.2.7 To arrange for the investments or other property of the Sabha to be held in the name of a nominee, in the same manner and subject to the same conditions as the trustees of a trust are permitted to do by the Trustee Act 2000;
- 3.2.8 To give indemnities where appropriate and lawful to retiring Office Bearers, Holding Trustees and other appropriate persons;

- 3.2.9 To purchase insurance policies of any type reasonably necessary to protect the Sabha, its members and its assets, against insurable risks and perils, for premia and on terms and conditions reasonably available in the insurance marketplace.

#### **4 Application of income and property**

- 4.1 The income and property of the Sabha shall be applied solely towards the promotion of its objects.
- 4.2 An Office Bearer or a member may be reimbursed from the property of the Sabha such reasonable expenses as are properly incurred while acting for and on behalf of the Sabha.
- 4.3 An Office Bearer may benefit from trustee indemnity insurance cover purchased at the Sabha's expense in accordance with, and subject to the conditions in section 189 of the Charities Act 2011.
- 4.4 None of the income or property of the Sabha may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any member of the Sabha, provided that an Office Bearer may receive:
- 4.4.1 a benefit from the Sabha as a member of the Sabha; or
  - 4.4.2 reasonable and proper remuneration for any goods or services supplied to the Sabha in accordance with clause 3.2.4 and 5.3.
- 4.5 If the Sabha is wound up and all its liabilities have been satisfied, any residual assets shall be given or transferred to the body in accordance with clause 26.1.

#### **5 Benefits and payments to Office Bearers and connected persons**

##### **5.1 Definition of "connected person"**

In this clause "connected person" means:

- 5.1.1 a child, parent, grandchild, grandparent, brother or sister of an Office Bearer;
- 5.1.2 the spouse or civil partner of an Office Bearer or of any person falling within sub-clause 5.1.1 above;
- 5.1.3 a person carrying on business in partnership with an Office Bearer or with any person falling within sub-clause 5.1.1 or 5.1.2 above;
- 5.1.4 an institution which is controlled –
  - (a) by an Office Bearer or any connected person falling within sub-clause 5.1.1, 5.1.2, or 5.1.3 above; or
  - (b) by two or more persons falling within sub-clause 5.1.4 (a), when taken together.

## 5.2 General provisions

- 5.2.1 No Office Bearer or connected person may buy or receive any goods or services from the Sabha on terms preferential to those applicable to members of the public; or may enter into any contract of any of the types referred to in clause 5.3.1; or receive any other financial benefit from the Sabha, unless the said contract or benefit is:
- (a) authorised in accordance with clause 5.3; or
  - (b) authorised by the court or the prior written consent of the Charity Commission ("the **Commission**") has been obtained.
- 5.2.2 In this clause, a "**financial benefit**" means a benefit, direct or indirect, which is either money or has a monetary value.

## 5.3 Scope and powers permitting Office Bearers' or connected persons' benefits

- 5.3.1 An Office Bearer or connected person may only enter into any contract or arrangement with the Sabha for:
- (a) the supply of any services;
  - (b) the supply of goods and/or materials;
  - (c) the supply of professional, technical or management services;
  - (d) the provision of a loan; or
  - (e) the letting of premises;
- or receive any other financial benefit, if all of the applicable conditions in 5.3.2 are satisfied.
- 5.3.2 The conditions referred to in 5.3.1 are as follows:
- (a) any arrangement for the supply to the Sabha of goods and/or professional, managerial or technical services shall be set out in a written contract, the terms of which (including the level of any remuneration) shall be no more than is fair and reasonable in all the circumstances;
  - (b) any arrangement for the making of a loan to the Sabha shall be set out in a written agreement, the terms and conditions which shall be reasonable in all the circumstances and the interest payable thereon shall be no greater than the Bank of England base rate prevailing for the time being plus 1 per cent;
  - (c) any contract for the letting or the making available of premises to the Sabha shall be set out in writing in the form of a tenancy or licence agreement, the terms and conditions of which and the rent or user fees payable under which shall be fair and reasonable in all the circumstances;

- (d) In all cases:
  - i the Executive Committee shall confirm in writing that they are satisfied, on balance, that it is in the best interests of the Sabha to provide the Office Bearer or connected person with the benefit; or (if applicable) contract with the Office Bearer or connected person rather than with another party not of that status;
  - ii the relevant Office Bearer and (if applicable) connected person shall be absent from the part of any meeting at which a discussion is held concerning the proposal to enter into such a contract with or provide such a benefit to such Officer Bearer or connected person;
  - iii the Officer Bearer shall not vote on any such matter and is not counted when assessing whether or not a quorum is present at the relevant Executive Committee meeting;
  - iv the reason for the Executive Committee's decision to approve entering into any such contract or providing any such benefit is recorded in the minute book of Executive Committee meetings; and
  - v (where relevant) no more than 3 (three) contracts in total between the Sabha and Office Bearers or connected persons, and no more than one contract per Office Bearer or connected person, may be in force at any one time.

5.3.3 An Office Bearer or connected person may take part in the normal fundraising activities of the Sabha on the same terms as members of the public.

## 5.4 Conflicts of interest

5.4.1 An Office Bearer shall:

- (a) declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Sabha or in any transaction or arrangement entered into by the Sabha which has not previously been declared; and
- (b) absent himself or herself from any discussions of the Executive Committee in which it is possible that a conflict of interest will arise between his or her duty to act solely in the interests of the Sabha and any personal interest (including but not limited to any financial interest).

5.4.2 Any Office Bearer absenting himself or herself from any discussions in accordance with this clause shall not vote or be counted as part of the quorum in any decision of the Executive Committee on the matter.

## 6 Liability of members on winding up

6.1 If the Sabha is wound up or dissolved, every Office Bearer of the Sabha is liable to contribute to the assets of the Sabha such amount as may be required for payment of the debts and liabilities of the Sabha contracted before that person or organisation ceases to

be a member, for payment of the costs, charges and expenses of winding up, and for adjustment of the rights of the contributing members among themselves.

- 6.2 In clause 6.1 "Office Bearer" includes any person that was a member of the Sabha within 12 months before the commencement of the winding up.

## **7 Membership of the Sabha**

### **7.1 Admission of new members**

7.1.1 Membership of the Sabha is open to any person who:

- (a) is over the age of 18;
- (b) is a resident of the City of Wolverhampton or whose home address is located within the WV postcode area or any of the areas defined in clause 2.1; or has a personal or familial attachment to the Sabha which, the Executive Committee at its discretion may decide, makes it reasonable for the applicant to be admitted to membership;
- (c) is a citizen of the United Kingdom or has permanent rights of residency in the United Kingdom;
- (d) has made a solemn and sincere declaration of faith in and adherence to the central principles of Shri Guru Ravidass Ji as follows:

"I solemnly and sincerely declare that I shall fulfil and abide by all of the following obligations:

- (1) I shall comply with the rules and regulations of the Sabha as they are or come into force from time to time;
- (2) I shall not indulge in any activities or behaviours that may cause the sanctity of the Sabha to be defamed or degraded;
- (3) I shall act in the best interests of the Sabha at all times and I shall diligently work to support its spiritual, social, moral and religious growth;
- (4) I shall conduct myself honourably and with dignity, and shall not engage in any malicious or mischievous conduct and I shall discourage others from doing so;
- (5) I shall seek to promote harmony and understanding among all members of the Sabha and I shall seek to reconcile disputes and differences between members through conciliation and good offices;
- (6) I shall pay such subscriptions as I am due to pay as a member regularly and promptly and shall make such donations to the Sabha as my conscience rightly allows or dictates;

- (7) I shall owe my loyalty and fidelity to the Sabha and, while a member, shall not become a member of any rival body.
- (8) I shall declare my wholehearted commitment to the Ravidassia/Ad-Dharmi community and shall follow the spiritual teachings and philosophies of Shri Guru Ravidass Ji and the same will be my true faith and belief"; and
- (e) has submitted a written application for membership of the Sabha in the form set out in Appendix 3 or such form as the Executive Committee may prescribe from time to time (and which shall incorporate the solemn and sincere declaration of faith set out above).

#### **7.1.2 Admission procedure**

The Executive Committee:

- (a) may require applications for membership to be made in any reasonable way that it decides (provided it is consistent with clause 7.1.1);
- (b) may refuse an application for membership if it reasonably believes that it is in the best interests of the Sabha to do so and in particular if the applicant has any record of serious criminal conduct which reasonably calls into doubt the suitability of the applicant for membership;
- (c) shall give an applicant reasons for any decision to refuse membership within 21 days of the decision; and
- (d) shall give fair consideration to any appeal from the applicant which is submitted within 21 days of any such refusal; and shall inform the applicant of its decision within 21 days of receipt of the appeal; but any decision to confirm refusal of the application shall be final.

### **7.2 Membership register and transfer of membership**

- 7.2.1 Membership of the Sabha is personal to the member and cannot be transferred to any other person.
- 7.2.2 The Executive Committee shall maintain a complete and up to date record of all members of Sabha.

### **7.3 Duty of members**

It is the duty of every member of the Sabha to exercise his or her powers as a member of the Sabha in ways which are consistent with the teachings of Shri Guru Ravidass Ji and will further the objects of the Sabha.

### **7.4 Termination of membership**

- 7.4.1 Membership of the Sabha comes to an end if:
  - (a) the member dies; or

- (b) the member sends a written notice of resignation to the Executive Committee; or
- (c) any sum of money owed by the member to the Sabha is not paid in full within six (6) months of its falling due; or
- (d) the Executive Committee decides that it is in the best interests of the Sabha that the member in question should be removed from membership, and formally resolves to do so on account of the member having conducted himself or herself in ways which:
  - (i) are clearly contrary to the teachings and principles of Shri Guru Ravidass Ji; and/or
  - (ii) are liable to bring the Sabha into disrepute; and/or
  - (iii) involve serious dishonesty and/or violent behaviour and/or disruptive and antisocial behaviour.

7.4.2 Before the Executive Committee takes any decision to remove a member of the Sabha it shall:

- (a) inform the member of the reasons why it has proposed to remove him or her;
- (b) give the member at least 21 days' notice in which to make any appeal to the Executive Committee against the proposed removal;
- (c) after the expiry of 21 days, at a duly constituted Executive Committee Meeting convened in accordance with clause 16, consider whether or not the member should be removed from membership;
- (d) consider any appeal that the member has made; and
- (e) allow the member or the member's representative, to make representations in person at the Executive Committee Meeting;

provided that any decision on appeal to confirm the Executive Committee's decision to remove the member shall be final.

## 7.5 Membership fees

The Sabha may require members to pay membership subscriptions in amounts which the Executive Committee may prescribe from time to time, taking into account the means and the condition of individual members and of the community which the Sabha is established to serve.

## 8 Members' decisions

8.1 Decisions concerning any and all of the matters referred to in clause 8.2 shall be termed **Special Business** and shall be reserved to the members of the Sabha acting in conference ("the **General Body**") and while the Executive Committee may recommend to the General Body the passing of a resolution designed to give effect to any form of Special

Business, no such decision and/or resolution shall have effect unless and until it is approved by a majority of 60 per cent of the General Body in attendance at a General Meeting convened in accordance with clause 9 and casting their votes in accordance with clauses 9.5 and 9.6.

8.2 Special Business comprises all and any of the following:

- 8.2.1 any amendment of the Constitution of the Sabha;
- 8.2.2 any acquisition or disposal of, or the entry into any agreement for the acquisition or disposal of any interest in the land;
- 8.2.3 any arrangement for the borrowing of any amount greater than £50,000 or materially to alter the terms of any such existing loan;
- 8.2.4 the giving of any security over the assets of the Sabha or any proposal materially to alter the terms of any such security;
- 8.2.5 the provision of any guarantee or surety by the Sabha for the obligations of any third party;
- 8.2.6 the entry into any contract, for goods, services or other business or assets, of a value greater than £50,000; and
- 8.2.7 any proposal for the winding-up or dissolution of the Sabha and the distribution of its net assets.

9 **General Meetings of members**

9.1 **Types of General Meeting**

- 9.1.1 The first Annual General Meeting shall take place within 12 months of the date of adoption of this Constitution.
- 9.1.2 Thereafter there shall be an Annual General Meeting, to be held every calendar year and at intervals of not more than 15 months, at which the General Body shall receive the annual statement of accounts and the Office Bearers' Annual Report and shall elect the Office Bearers in accordance with clause 11.
- 9.1.3 Other meetings of the General Body ("**General Meetings**"), provided they are properly convened, may be held at any time.
- 9.1.4 All General Meetings shall be held in accordance with the following provisions.

9.2 **Calling General Meetings**

- 9.2.1 The General Secretary of the Sabha:
  - (a) shall call the Annual General Meeting in accordance with clause 9.1.1 and shall identify it as such in the notice of the meeting; and

- (b) shall call a General Meeting within 21 days of any written request to do so from at least 10 per cent of the members of the General Body provided that the request:
  - i is lawful;
  - ii is submitted in good faith and is not frivolous or vexatious;
  - iii states the general nature of the business to be dealt with at the General Meeting; and
  - iv is authenticated by the members making the request.

9.2.2 Any General Meeting called at the request of the General Body shall be held within 28 days from the date on which it is called, in default of which the members who issued the request may call the General Meeting to take place not more than three (3) months after the date of the members' first request.

### 9.3 Notice of General Meetings

9.3.1 The General Secretary of the Sabha shall give at least 14 days' notice of any General Meeting to the General Body.

9.3.2 The notice of any General Meeting shall:

- (a) state the time and date of the meeting;
- (b) give the address at which the meeting is to take place;
- (c) contain an agenda for the General Meeting and set out the wording of any resolution which is to be moved at the General Meeting, and of the general nature of any other business to be dealt with at the meeting;
- (d) if a proposal to alter the Constitution of the Sabha is to be considered at the meeting, include the text of the proposed alteration; and
- (e) include with the notice for the Annual General Meeting the annual statement of accounts and Office Bearers' annual report, details of persons standing for election or re-election as Office Bearers, or where allowed under clause 20 (Use of electronic communication), details of where the information may be found on the Sabha's website.

9.3.3 Proof that an envelope containing a notice was properly addressed, prepaid and posted, or that an electronic form of notice was properly addressed and sent, shall be conclusive evidence that the notice was given, (notice being deemed to be given 48 hours after dispatch).

9.3.4 The proceedings of a General Meeting shall not be invalidated by reason of any member not receiving notice thereof by reason of any accidental omission.

#### **9.4 Chairing General Meetings**

The President of the Sabha, or, if absent, the Senior Vice-President, shall chair the Meeting, and if the Senior Vice-President is absent or unable to chair the General Meeting, one of the Vice-Presidents present shall be elected to chair from among their number.

#### **9.5 Quorum at General Meetings**

9.5.1 Subject to the following provisions, the quorum for a General Meeting shall be ten (10) per cent of membership whose subscriptions are fully paid up, in default of which no business shall be transacted.

9.5.2 If the General Meeting has been called by or at the request of the members and a quorum is not present within 30 minutes of the starting time specified in the notice of the General Meeting, the General Meeting shall be closed.

9.5.3 If the General Meeting has been called in any other way and a quorum is not present within 30 minutes of the starting time specified in the notice of the meeting, the chair shall adjourn the General Meeting, and the date, time and place at which the General Meeting will resume shall either be announced by the chair or be notified to the General Body at least seven (7) clear days before the date on which it will resume.

9.5.4 If a quorum is not present within 30 minutes of the start time of the adjourned General Meeting, the member or members present at the meeting shall constitute a quorum.

9.5.5 A quorum having been established, if in the course of the General Meeting members leave in such numbers as to deprive the General Meeting of a quorum, the General Meeting shall be adjourned.

#### **9.6 Voting at General Meetings**

9.6.1 A resolution put to the vote of a General Meeting shall be decided on a show of hands, unless (before or on the declaration of the result of the show of hands) a poll is duly demanded (which may be demanded by the chair or by at least ten (10) per cent of the members present at the General Meeting).

9.6.2 A poll shall be taken and the result announced in such manner as the chair of the General Meeting shall decide (provided that the poll shall be taken and the result announced within 3 days of the demand for the poll).

9.6.3 In the event of an equality of votes, whether on a show of hands or on a poll, the chair of the General Meeting shall have a second, or casting vote.

9.6.4 Any objection to the qualification of any voter shall be raised at the General Meeting at which the vote is cast and the decision of the chair of the General Meeting shall be final.

#### **9.7 Adjournment of General Meetings**

The chair may with the consent the members present at a General Meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the General Meeting to

another time and/or place. No business may be transacted at an adjourned General Meeting except business which could properly have been transacted at the original General Meeting.

**10 The Executive Committee: the Office Bearers of the Sabha**

10.1 It is hereby declared that all Office Bearers shall be equivalent to charitable trustees and shall retain all the powers and shall discharge all the duties and responsibilities of charitable trustees in accordance with all relevant legislation.

**10.2 Functions and duties of Office Bearers**

10.2.1 The Office Bearers shall manage the affairs of the Sabha at all times diligently and lawfully and may for that purpose exercise all the powers of the Sabha set out in clause 3 and generally in this Constitution.

10.2.2 It is the duty of each Office Bearer:

- (a) to exercise his or her powers and to perform his or her functions as an Office Bearer of the Sabha in the way he or she decides in good faith would be most likely to further the purposes of the Sabha; and
- (b) to exercise, in the performance of those functions, such care and skill as is reasonable in the circumstances having regard in particular to:
  - i any special knowledge or experience that he or she has or holds himself or herself out as having; and
  - ii if he or she acts as an Office Bearer of the Sabha in the course of a business or profession, any special knowledge or experience that it is reasonable to expect of a person acting in the course of that kind of business or profession.

**10.3 Eligibility for office**

10.3.1 No one may be appointed as an Office Bearer:

- (a) if he or she is under the age of 25 years; or
- (b) if he or she would automatically cease to hold office under the provisions of clause 13.1.

10.3.2 No one is entitled to act as an Office Bearer whether on appointment or on any re-appointment until he or she has expressly acknowledged, in whatever way the Office Bearers decide, his or her acceptance of the post of Office Bearer.

**10.4 Number of Office Bearers**

The minimum number of Office Bearers shall be 13; and the posts to be held by Office Bearers (which it shall be the collective responsibility of Office Bearers to ensure, as far as possible, are filled pursuant to clause 11) shall up to 24 and shall be as follows:

Title of Office	Description of Responsibilities
President	The pre-eminent Office Bearer who shall chair and manage all General Meetings and shall with honour and dignity represent its Sabha formally in all its dealings with the community and wider society. <b>The President shall also retain one of two keys to the "A" Lock to the secure Collection Box</b> located inside the Temple and shall, in order to enable the weekly collection regularly to be deposited at the Sabha's bank (and otherwise as the occasion requires), be available to unlock the Collection Box at the time specified by the Executive Board
Senior Vice-President	Shall deputise for the President and support him/her in discharging all duties. This may include taking charge of the President's key to the "A" Lock to the Collection Box and fulfilling the his/her duty with regard thereto in his/her absence.
Vice-President (1)	Shall assist the President and Senior Vice-President in discharging all duties and be responsible for the particular aspects of the Sabha's business assigned to him/her. This may include taking charge of the President's key to the "A" Lock to the Collection Box and fulfilling the President's duty with regard thereto in his/her absence.
Vice-President (2)	Shall assist the President and Senior Vice-President in discharging all duties and be responsible the particular aspects of the Sabha's business assigned to him/her.
Vice-President (3)	Shall assist the President and Senior Vice-President in discharging all duties and be responsible for the particular aspects of the Sabha's business assigned to him/her.
General Secretary	Shall be the Chief Executive Officer of Sabha, responsible for all administration matters, management and appointing of ceremonies and maintaining and issuing documents for and on behalf of the Sabha and for all record keeping (except financial records which shall be the responsibility of the Treasurer). <b>The General Secretary shall also retain the other of the two keys to the "A" Lock to the secure Collection Box</b> located inside the Temple and shall, in order to enable the weekly collection regularly to be deposited at the Sabha's bank (and otherwise as the occasion requires), be available to unlock the Collection Box at the time specified by the Executive Board.
Assistant Secretary	Shall assist the General Secretary in discharging his/her duties and deputise for the General Secretary in his/her absence. This may include taking charge of the General Secretary's key to the "A" Lock to the Collection Box and fulfilling the General

Title of Office	Description of Responsibilities
	Secretary's duty with regard thereto in his/her absence.
Chief Organiser	Shall be responsible for the organisation of the Sabha, including promoting the welfare of the Sabha
Stage Secretary	Shall be responsible for arranging and conducting functions in and outside the Temple.
Assistant Stage Secretary	Shall assist the Stage Secretary in discharging all duties and deputise in his/her absence.
Treasurer	Shall be responsible for handling the funds of and maintaining the accounts of the Sabha. The Treasurer shall also retain the key to the "B" Lock to the secure Collection Box located inside the Temple and shall, in order to enable the weekly collection regularly to be deposited at the Sabha's bank (and otherwise as the occasion requires), be available to unlock the Collection Box at the time specified by the Executive Board
Assistant Treasurer	Shall assist the Treasurer in discharging of all his/her duties. This may include taking charge of the Treasurer's key to the "B" Lock to the Collection Box and fulfilling the his/her duty with regard thereto in his/her absence
Education Secretary/Librarian	Shall be responsible for all educational matters and shall promote the writings and commentaries on the teachings of Shri Guru Ravidass Ji and shall manage all publications and the Sabha's library.
Store-Keeper (1)	Shall be responsible for managing the Sabha's store including keeping records of sales and purchases of items.
Store-Keeper (2)	Shall be responsible for managing the Sabha's store including keeping records of sales and purchases of items
Kitchen in Charge (Cooking) (1)	Shall be responsible for the running of the kitchen and the preparation of Langar.
Kitchen in Charge (Cooking) (2)	Shall be responsible for the running of the kitchen and the preparation of Langar
Utensil in Charge	Shall be responsible for the storage and use of utensils by the Sabha.
Registrar (1)	Shall be responsible for performing civil ceremonies and associated administration.
Registrar (2)	Shall be responsible for performing civil ceremonies and associated administration

<b>Title of Office</b>	<b>Description of Responsibilities</b>
Building Supervisor (1)	Shall be responsible for the maintenance and running of the Temple building.
Building Supervisor (2)	Shall be responsible for managing, maintaining and operating the Sabha's properties
Building Supervisor (3)	Shall be responsible for managing, maintaining and operating the Sabha's properties
Building Supervisor (4)	Shall be responsible for managing, maintaining and operating the Sabha's properties

## **11 Election of Office Bearers to form the Executive Committee**

- 11.1 Not more than 4 months and not less than 3 months prior to the first Annual General Meeting called pursuant to clause 9.1.1 (a), the Executive Committee shall instruct the Election Board to arrange for the first elections of a new Executive Committee to take place at the first Annual General Meeting in accordance with clause 11.2.
- 11.2 At the first Annual General Meeting to take place following adoption of this Constitution, and thereafter at every third Annual General Meeting of the Sabha:
- 11.2.1 the Executive Committee shall be elected to office by the General Body in accordance with the procedures set out in this clause 11; and
- 11.2.2 the Election of the Executive Committee shall be managed and supervised by the Election Board whose members shall diligently take all steps necessary to give effect to this clause 11.
- 11.3 Office Bearers shall be elected to serve for a term of three (3) years, and shall be entitled to present themselves for re-election for one further term of three (3) years, provided that no retiring Office Bearer who has served two (2) consecutive terms may present himself or herself for re-election to any office unless and until a further period of three (3) years will have elapsed.
- 11.4 Subject to the foregoing, candidates for the election as Office Bearers to form the Executive Committee shall be assembled into Parties and each party shall submit a collective written application to participate in the Election which application shall then be the subject of:
- 11.4.1 consideration and review by the Election Board, which may include the conduct of interviews and review of written statements as prepared by the proposed Parties for the purpose of assessing their competence and suitability; and
- 11.4.2 presentation to the General Body for debate and discussion in accordance with clause 11.8.
- 11.5 Candidates for Election shall:

11.5.1 have been members of the Sabha for a period of at least five (5) years prior to the date of submission of their Party's application; and

11.5.2 in the reasonable judgment of the Election Board be of good character and possessed of the necessary competence to hold office (provided that "competence" shall not be taken necessarily to imply a high level of academic, technical or professional qualification);

and the Election Board shall take into consideration all relevant personal qualities and candidates' capacity to learn and develop through service to the Sabha.

11.6 The maximum number of Parties who may be recommended by the Election Board to be presented to the General Body for election shall not exceed three (3) in number.

11.7 Candidates for office shall, in the course of assembling themselves into Parties, identify a sufficient number of candidates to present to the General Body for election to all the offices listed in clause 10.4.

11.8 Parties shall be given the opportunity to present themselves to the General Body not less than 14 days and not more than 28 days prior to the date upon which the Election Board has notified the election is to take place, for the purpose of engaging in discussion with the General Body and answering questions; provided that the Election Board shall lay down such rules of conduct at such meetings as they may reasonably decide with regard to:

11.8.1 time-limiting presentations;

11.8.2 managing open discussion and question and answer sessions; and

11.8.3 general conduct of members and candidates, with a view to ensuring that all present conduct themselves in a proper and courteous manner;

and the chair of the Election Board may exclude from any such meeting any member or candidate whom he/she reasonably considers to be in breach of the said rules.

11.9 Elections of Parties shall be conducted by secret ballot and may be monitored by suitable independent scrutineers appointed by the Election Board on reasonable terms (including any appropriate remuneration).

11.10 Upon completion of the electoral process:

11.10.1 the Election Board shall confirm within seven (7) days that the Election was conducted regularly and in accordance with the relevant law; or

11.10.2 if the Election Board declines to provide such confirmation, it shall supervise and rerun the Election or (if practicable) such part of the Election process as was the source of the Election Board's concerns as to its regularity; and

11.10.3 at the conclusion of such re-run, the Election Board shall provide written confirmation as soon as possible of the completion of a regularly conducted election and shall formally publish a statement of the composition of the Executive Committee and the names and titles of all newly appointed Office Bearers.

- 11.11 If an Office Bearer retires from office without having served a full term of three (3) years, the Executive Committee may co-opt to serve in place of the retiring Office Bearer a member of the Sabha whom the Executive Committee reasonably considers to be a suitable replacement, provided that at the next Annual General Meeting the appointment of the replacement Office Bearer shall be required to be ratified by a simple majority vote of the General Body, unless at the next Annual General Meeting an Election for the appointment of a new Executive Committee is due to take.

## **12 The Holding Trustees of the Sabha**

### **12.1 The Holding Trustees shall:**

12.1.1 be the legal owners of the fixed assets of the Sabha and shall holding the same on trust for the benefit of the General Body; and

12.1.2 comply with all instructions issued by the Executive Committee with regard to any dealings in any of the said fixed assets (provided that the Executive Committee shall comply promptly with any request from any Holding Trustee for production of any written resolution which confers authority on the Executive Committee to issue such instruction).

12.2 The first Holding Trustees who are in post at the date of adoption of this Constitution shall retire from office on the first anniversary of the said date.

12.3 Prior to expiry of the first Holding Trustees' term of office, the Election Board shall organise and manage elections of new Holding Trustees (candidates for which posts shall satisfy the requirements of clause 11.5) to take place not more than four months and not less than two months prior to expiry of the first term of office of the Holding Trustees; and thereafter on every fifth anniversary of the date of the first election of the Holding Trustees to be held (or as nearly as practically possible thereto).

12.4 Upon their being elected to office, the Holding Trustees shall ensure that any change of identity of the Holding Trustees is notified promptly to HM Land Registry and to any other statutory bodies or organisations or third parties who are legally entitled to receive notification of such change (including without limitation any mortgagees or chargees of the Sabha's fixed assets).

12.5 The number of Holding Trustees shall always be five (5) and if a Holding Trustee dies or retires during his or her term of office, the remaining Holding Trustees may of their own motion appoint a replacement Holding Trustee who shall satisfy the requirements of clause 11.5, provided that:

12.5.1 no more than two (2) Holding Trustees may be replaced in this way; and

12.5.2 in the event of a third Holding Trustee dying or retiring from office, the Election Board shall convene a new election of Holding Trustees in accordance with clause 12.3 who shall, upon election serve a new term of five (5) years.

12.6 The Executive Committee on behalf of the Sabha shall indemnify and hold harmless the Holding Trustees against any claims and/or costs and/or expenses and/or liabilities which may arise out of or in connection with the Holding Trustees' proper discharge of their duties under this clause 12.

### **13 Retirement and removal of Office Bearers**

#### **13.1 An Office Bearer ceases to hold office if he or she:**

- 13.1.1 retires by notifying the Sabha in writing (but only if enough Office Bearers will remain in office when the notice of resignation takes effect to form a quorum for meetings);
- 13.1.2 is absent without the permission of the Office Bearers from all their meetings held within a period of six (6) months and the Office Bearers resolve that his or her office be vacated;
- 13.1.3 dies;
- 13.1.4 has, in the written opinion (addressed to the General Secretary of the Sabha) of a registered medical practitioner treating that person, become physically or mentally incapable of acting as a director and may remain so for more than three (3) months;
- 13.1.5 is removed from the membership of the Sabha in accordance with clause 7.4.2; or
- 13.1.6 is disqualified from acting as a charity trustee by virtue of sections 178-180 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).

#### **13.2 An Office Bearer shall be removed from office if a resolution to remove that Office Bearer is proposed at an Executive Committee Meeting called for that purpose and the resolution is passed by a majority of not less than two-thirds of the Office Bearers (excepting the Office Bearer whose removal is proposed).**

#### **13.3 A resolution to remove an Office Bearer in accordance with this clause shall not take effect unless the individual concerned has been given at least 14 clear days' notice in writing that the resolution is to be proposed at a meeting of the Executive Committee, specifying the circumstances which justify his/her removal from office, and has been given a reasonable opportunity of making oral and/or written representations to the Executive Committee prior to or at the meeting.**

#### **13.4 If an Office Bearer ceases to bear office for any reason, the remaining Office Bearers may of their own motion appoint a replacement Office Bearer who shall satisfy the requirements of clause 13; provided that not more than 25 per cent of Office Bearers may be replaced in this way, at which point the Election Board shall call new elections for the Executive Committee in accordance with clause 11.**

### **14 Decisions of the Executive Committee**

Any decision may be taken either:

#### **14.1 at a meeting of the Executive Committee; or**

#### **14.2 by resolution in writing or electronic form agreed by a majority of all of the Office Bearers, which may comprise either a single document or several documents containing the text of the resolution in like form to that which the majority of all of the Office Bearers has**

signified their agreement; and such a resolution shall be effective if a copy of the proposed resolution has been sent, at or as near as reasonably practicable to the same time, to all of the Office Bearers; and

- 14.3 the majority of all of the Office Bearers has signified agreement to the resolution in a document or documents which has or have been authenticated by their signature, by a statement of their identity accompanying the document or documents, or in such other manner as the Office Bearers have previously resolved, and delivered to the Sabha at its principal office or such other place as the Office Bearers may resolve within 28 days of the circulation date.

**15 Delegation by Office Bearers**

- 15.1 The Office Bearers may delegate any of their powers or functions to a committee or committees, and, if they do, they shall determine the terms and conditions on which the delegation is made. The Office Bearers may at any time alter those terms and conditions, or revoke the delegation.

**16 Executive Committee Meetings and proceedings**

**16.1 Calling meetings**

The General Secretary shall call Executive Committee Meetings on a quarterly basis at a regularly available time and venue.

**16.2 Chairing of meetings**

The President (or in his/her absence, the Senior Vice President; or in his/her absence, one of the Vice Presidents) shall chair the Executive Committee Meetings; and if no such person is available to preside or is not present within 15 minutes after the time of the Executive Committee Meeting, the Office Bearers present may appoint one of their number to chair that Executive Committee Meeting.

**16.3 Procedure at Executive Committee Meetings**

- 16.3.1 No decision shall be taken at a meeting of the Executive Committee unless a quorum is present at the time when the decision is taken. The quorum is eight (8) Office Bearers, or the number nearest to one third of the total number of Office Bearers, whichever is greater, or such larger number as the Office Bearers may decide from time to time. An Office Bearer shall not be counted in the quorum present when any decision is made about a matter upon which he or she is not entitled to vote.

- 16.3.2 Questions arising at an Executive Committee Meeting shall be decided by a majority of those eligible to vote.

- 16.3.3 In the case of an equality of votes, the chair shall have a second or casting vote.

- 16.4 The Executive Committee may from time to time issue such guidance or bylaws as may in its judgement be necessary to ensure the responsible and efficient management of the Sabha including in relation to such matters (without limitation) as the following:

- 16.4.1 Codes of Conduct for Office Bearers, Holding Trustees and members;
  - 16.4.2 the keeping of minutes and records of all proceedings;
  - 16.4.3 the conduct of all meetings;
  - 16.4.4 the conduct of worship and prayer in the Temple;
  - 16.4.5 the conduct of marriages and other sacred ceremonies in the Temple;
  - 16.4.6 the employment of priests;
  - 16.4.7 the issuing of solemn oaths upon the assumption of any office or position of responsibility;
  - 16.4.8 the affiliation of the Sabha or its confederation with any national or international organisation
  - 16.4.9 the management of the Sabha's funds.
- 16.5 Provided that such clause or byelaws shall not be inconsistent with any provision of this constitution and, while in force, shall be made available to any member of the Sabha on written request.
- 17 Saving provisions**
- 17.1 Subject to clause 17.2, all decisions of the Executive Committee shall be valid notwithstanding the participation in any vote of an Office Bearer:
- 17.1.1 who was disqualified from holding office;
  - 17.1.2 who had previously retired or who had been obliged by the constitution to vacate office;
  - 17.1.3 who was not entitled to vote on the matter, whether by reason of a conflict of interest or otherwise;
  - 17.1.4 if, without the vote of that Office Bearer and that Office Bearer being counted in the quorum, the decision has been made by a majority of the Office Bearers at a quorate meeting.
- 17.2 Clause 17.1 of this clause does not permit an Office Bearer to keep any benefit that may be conferred upon him or her by a resolution of the Executive Committee if the resolution would have been void or prohibited in any event, or if the Office Bearer has not complied with clause 5.4 (Conflicts of interest).
- 18 Execution of documents**
- 18.1 Any documents by which it is intended that the Sabha shall acquire, dispose, lease, mortgage or charge any land or buildings shall be executed as a deed by all the Holding Trustees at the direction of the Executive Committee and pursuant to any authority as may be required of the General Body pursuant to clause 8.1.

- 18.2 Any other documents intended to have legal force shall be validly executed by the signature of at least two of the Office Bearers which shall include the General Secretary.
- 19 **Election Board**
- 19.1 The Election Board shall comprise five (5) members of the Sabha who shall:
- 19.1.1 be invited to serve on the Election Board by the Executive Committee (who, acting reasonably, shall have resolved that those invited are fit and proper to serve on the Election Board taking into account their particular skills and capabilities);
  - 19.1.2 not be Office Bearers of the Sabha (and shall not be permitted to become Office Bearers following their appointment); and
  - 19.1.3 upon their appointment make a solemn declaration of impartiality and professionalism in the discharge of their duties.
- 19.2 The Executive Committee shall appoint the first Election Board within 6 months of the date of adoption of this Constitution.
- 19.3 The Election Board shall be responsible for the planning, management and supervision of Elections of:
- 19.3.1 Office Bearers to form the Executive Committee in accordance with clause 11; and
  - 19.3.2 Holding Trustees in accordance with clause 12.
- 19.4 Members of the Election Board shall remain in post for terms of 5 (five) years, provided that if any member of the Election Board dies or wishes to retire prior to the expiry of his or her term of office, the Executive Committee shall appoint a replacement as soon as possible in accordance with clause 19.1.
- 20 **Use of electronic communications**
- 20.1 **To the Sabha**
- Any member or Office Bearer of the Sabha may communicate electronically with the Sabha to an address specified by the Sabha for the purpose, so long as the communication is authenticated in a manner which is satisfactory to the Sabha.
- 20.2 **By the Sabha**
- 20.2.1 Any member or Office Bearer of the Sabha, by providing the Sabha with his or her email address or similar, is taken to have agreed to receive communications from the Sabha in electronic form at that address, unless the member has indicated to the Sabha his or her unwillingness to receive such communications in that form.
  - 20.2.2 The Executive Committee may, subject to compliance with any legal requirements, by means of publication on its website –

- (a) provide the members with the notice referred to in clause 9.3 (Notice of General Meetings); and
- (b) give Office Bearers notice of Executive Committee Meetings in accordance with clause 16.1 (Calling meetings).

## 21 **Keeping of Registers**

The Sabha shall comply with its obligations under the General Regulations in relation to the keeping of, and provision of access to, registers of its members and Office Bearers.

## 22 **Minutes**

The Executive Committee shall keep minutes of all:

- 22.1 appointments of Office Bearers made by the Office Bearers; and
- 22.2 proceedings at General Meetings of the Sabha;
- 22.3 Executive Committee Meetings including:
  - the names of the Office Bearers present at the meeting;
  - the decisions made at the meetings; and
  - where appropriate, the reasons for the decisions; and
- 22.4 decisions made by the Office Bearers otherwise than in meetings.

## 23 **Accounting records, accounts, annual reports and returns, register maintenance**

- 23.1 The Office Bearers shall comply with the requirements of the Charities Act 2011 with regard to the keeping of accounting records, to the preparation and scrutiny of statements of accounts, and to the preparation of annual reports and returns. The statements of accounts, reports and returns shall be sent to the Charity Commission, regardless of the income of the Sabha, within ten (10) months of the financial year end.
- 23.2 The Office Bearers shall comply with their obligation to inform the Charity Commission within 28 days of any change in the particulars of the Sabha entered on the Central Register of Charities.

## 24 **Disputes and Differences**

- 24.1 If any dispute or difference concerning the affairs of the Sabha or in relation to the interpretation of this Constitution or concerning the validity or propriety of anything done by the members or Office Bearers under this constitution, shall arise and in particular (but without limitation) if any such dispute or difference shall arise:
  - 24.1.1 among any members of the Sabha; or
  - 24.1.2 between any member or members of the Sabha and the Executive Committee; or

24.1.3 between any member or members of the Sabha and the Holding Trustees; or

24.1.4 between any member or members of the Sabha and the Election Board; or

24.1.5 between or within any of the following groups:

(a) the Executive Committee;

(b) the Holding Trustees; and

(c) the Election Board,

and if such dispute or difference cannot be resolved through amicable discussion and through mutual agreement, the parties to any such dispute shall, before any litigation or form of legal proceedings is resorted to, first seek in good faith to settle a dispute through mediation in accordance with the process set out in the following sub-clauses.

24.2 The process for the resolution through mediation of any dispute or difference under this Constitution shall be as follows:

24.2.1 the aggrieved party who wishes to seek a remedy for any complaint or seek to have an issue in dispute resolved ("the Complainant") shall present to the General Secretary of the Sabha a written Statement of Complaint within seven (7) days of it becoming apparent that a dispute or difference has arisen, which cannot be resolved amicably;

24.2.2 within seven (7) days of presentation of the Statement of Complaint, the General Secretary or other Office Bearer shall, on behalf the Executive Committee, provide a written response and a statement of recommendations as to the best means of resolving the dispute amicably;

24.2.3 the Complainant shall within seven (7) days indicate whether he, she or they accept the statement of recommendations;

24.2.4 if the Complainant does not accept the statement of recommendations, the Complainant may refer the dispute or difference to mediation in accordance with clause 24.3.

24.3 As regard to the mediation process:

24.3.1 the parties shall within 14 days of the date of the Complainant's request for mediation agree the identity of a suitably qualified mediator; and in default of such agreement either party may apply to the Centre for Dispute Resolution (CEDR) or its successor body or nearest equivalent;

24.3.2 the mediator shall notify the parties of the procedure which the mediator wishes to be followed in order to explain, understand and seek to resolve the dispute or difference as efficiently and as fairly as possible;

24.3.3 the mediator may require the parties to participate in plenary sessions, followed by individual private sessions in which the mediator shall work with the parties

to narrow down the areas of difference between the parties and seek an amicable resolution through dialogue and compromise;

- 24.3.4 the mediator may impose upon the parties time limits as to the submission of statements and/or as to the conduct of the process as a whole;
- 24.3.5 the mediator may set reasonable terms for his or her remuneration which the parties shall mutually accept and abide by;
- 24.3.6 if the mediator declares himself or herself unable to achieve a resolution of the dispute or difference within 21 days within commencement of the mediation process under clause 24.2 above, either party may resort to court proceedings in the High Court of Justice, Queens Bench Division, Birmingham District Registry, provided that no such proceedings may be begun unless and until the party wishing to resort to court proceedings has obtained the permission of the Charity Commission to commence Charity Proceedings in accordance with Section 115 Charities Act 2011.

## **25 Amendment of Constitution**

25.1 This Constitution can only be amended:

- 25.1.1 by resolution agreed in writing by all members of the Sabha; or
- 25.1.2 by a resolution passed by a 60 per cent majority of votes cast by those members in attendance and entitled to vote in a General Meeting.

25.2 Any alteration of clause 2 (Objects), clause 26 (voluntary winding up or dissolution), this clause, or any provision where the alteration would provide authorisation for any benefit to be obtained by Office Bearers or members of the Sabha or persons connected with them, requires the prior written consent of the Charity Commission.

25.3 No amendment that is inconsistent with the provisions of the Charities Act 2011 or the General Regulations shall be valid.

25.4 A copy of any resolution altering the Constitution, together with a copy of the Sabha's Constitution as amended, shall be sent to the Charity Commission within 15 days from the date on which the resolution is passed; and any such amendment shall not take effect until it has been recorded in the Register of Charities.

## **26 Voluntary winding up or dissolution of the Sabha**

26.1 In the event of any resolution for the winding up or dissolution of the Sabha being passed by the General Body in accordance with clause 8.2.7, and subject to the payment of all the Sabha's debts:

- 26.1.1 any resolution for the winding up of the Sabha, or for the dissolution of the Sabha without winding up, may contain a provision directing how any remaining assets of the Sabha shall be applied, and the Office Bearers shall comply with the resolution;
- 26.1.2 if the resolution does not contain such a provision, the Office Bearers shall decide how any remaining assets of the Sabha shall be applied; and

- 26.1.3 in either case the remaining assets shall be applied for charitable purposes the same as or similar to those of the Sabha.
  - 26.2 The Office Bearers shall ensure that in the event of the dissolution of the Sabha, they submit to the Charity Commission:
    - 26.2.1 a copy of the resolution passed by the members of the Sabha;
    - 26.2.2 a declaration by the Office Bearers that any debts and other liabilities of the Sabha have been settled or otherwise provided for in full; and
    - 26.2.3 a statement by the Office Bearers setting out the way in which any property of the Sabha has been or is to be applied prior to its dissolution in accordance with this Constitution; and
  - 26.3 the Office Bearers shall ensure that a copy of the application is sent within seven (7) days to every member and employee of the Sabha, and to any Office Bearer of the Sabha who was not privy to the application.
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