

FIJI INDIAN ASSOCIATION

WELLINGTON INC

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7 November 2012

Newsletter No. 1

Namashkaar

In this first newsletter of this financial year [, albeit a short one,] we wish to share with you some news about our Association. The main issues covered include:

The AGM of the Association held on 7 October 2012

- Key decisions taken at the AGM and follow-up actions
- Highlights of former President, Mr. Vinod Kumar's annual report
- Names of your new committee members
- Views of new President Mr. Prabodh Mishra
- Community News

Annual General meeting

The AGM was held on 7 October 2012 at the FIA Hall. In welcoming everyone, the President of the Fiji Indian Association, Mr. Vinod Kumar, thanked them for their attendance and for their ongoing interest in the welfare of the Association.

A hard copy of both the President's Report and Financial Report from Stephane Giborees were available at the meeting.

Key decisions of the AGM

0. The meeting chose the new set of office-bearers. Details are in this Newsletter.
1. The report of the outgoing President, Vinod Kumar, [whose two -year term expired this year] was approved by the AGM.
2. The meeting agreed to a comprehensive review of the FIA Constitution.
3. The meeting was informed by the outgoing President of an invitation to Fiji Day celebrations on October 14.
4. Audited annual accounts were accepted by the AGM.
5. The Chairman of the Board of Trustees, Mr. Lal Singh presented his report and commended the outgoing committee for the work it had done.

Former President Mr. Vinod Kumar's Activity Report

Key achievements

- Senior Citizens' Christmas Function. This was hosted at the Hall on 18 December 2011.
- January and April 2012 Fiji Flood Appeals A total of more than NZD8,500.00 was raised and contributed to the Fiji Flood Relief;
- Girmit Diwas and Girmit Soccer Tournament were held
- Annual Dinner Nite was held on 16 June 2012.
- Asset acquisition. A table tennis table and a pool table were purchased at a total cost of \$300.00 which are now being utilised for recreational purposes at the Hall
 - Hall Hire Income. The Association's running expenses are being met from Hall Hire. [And] All cleaning [and] essentials have been supplied free of charge by our Hall Manager, ArvindGounder.
- Operational Issues – Website and Facebook. Our Facebook is continuously updated by our Committee Member – Mr Rizwaan Hussein .
- Wellington Hindi School. A donation of \$150.00 was made to Wellington Hindi School on its 20th Birthday

Matters arising from the last AGM awaiting further action

- [We were not able to] review the constitution,
- [We were unable to] implementatio of recommendations in regard to the Plaque.

The outgoing President recommended that [recommendation to] this AGM [is to] nominate a group of 5 members including the incoming President, Secretary and Treasurer to implement the recommendations of the last AGM in regard to the Plaque, and present amendments to the constitution at the next AGM.

- The decrease [drop] in membership continues to be a concern.

FIA Scholarship Fund

[I] The outgoing President had announced at the Annual Dinner Nite that 25% of net income from the Dinner Nite would be ear-marked and transferred to a separate Scholarship Fund. To this end he suggested that the committee appointed to review the constitution also look at incorporating these requirements in the constitution.

The outgoing President's Conclusion

He requested the AGM to appoint an Executive Committee which is committed and willing to sacrifice time for furtherance of the aims and objectives of our Association in terms of our Business Plan.

In concluding his report, the outgoing President sincerely thanked everyone who assisted him during his second term as President.

The following were elected Office bearers for the year 2012-13.

President	Prabodh Mishra – Mobile: 027246-6604
Vice President	Kamleshwar Singh- Mobile: 0211375269
Secretary	Naren Lal –Mobile: 0291200529
Treasurer	Stephane Giborees
Assistant Treasurer	Paresh Hari –Mobile: 0274546482
Communication Advisor	Ashwin Salim Singh
Hall Manager	Arvind Goundar –Mobile: 0223101772
Committee	Prem Singh –Mobile: 0274481991
Committee	Rattan Prakash –Mobile: 0211204983

Since the election Mr. Ashwin Salim Singh has resigned due to personal reasons. Mr. Stephane Giborees[has]] also asked to be relieved of his duties because of work commitments .[and]Paresh Hari has now assumed the role of Treasurer. We have co-opted Mr. Paripurna Nand Verma as a new Committee member.

As an interim measure the President will also assume the role of Communication Advisor until [we find]] a replacement is found.

A number of other individuals have been approached to join the Committee. If you are interested in joining us please call any one of us. Phone numbers are provided next to Committee members name. We will provide you with details as they come to hand.



L-R: Prabodh Mishra, Naren Lal, Prem Singh, Arvind Goundar, Paresh Hari, Kamleshwar Singh and Krishna Gounder, Rattan Prakash, Salim Singh and Master Verma (Krishna Gounder and Salim Singh are in the picture but are not Committee members)

New President:

In his inaugural speech, the President Elect Mr. Prabodh Mishra, acknowledged the contribution and efforts of the past President Mr. Vinod Kumar and his Committee. He also thanked them for their ongoing support and their dedication to promote the aspirations of FIA. Mr. Mishra also affirmed that he would do his utmost to uphold the ideals of FIA. He added that at least four Newsletters would be issued to all financial members of the Association.

Urgent Tasks to be undertaken by the Committee:

- ❖ Review of the Constitution
- ❖ Review of the Business Plan with both long and short terms objectives clearly spelt

out

- ❖ Membership Drive- an urgent priority as the numbers have decreased significantly from some 250 members to 70 odd at the last AGM.
- ❖ Looking at some urgent repairs to the FIA Building.
- ❖ Girmit Diwas. A more pronounced function.
- ❖ Annual Dinner nite

Community News

Farewell

We bid farewell to Mr. Krishna Mishra and Mrs. Prabha Mishra who were past Executive members of FIA. They will settle in Brisbane. Mrs. Prabha Mishra was also a well known Radio personality and had her own Hindi Radio programme here in Wellington. We wish them well in Brisbane.



Fiji Independence Day Celebration

The President along with Mrs Roshni Mishra attended a Church Service organised by the Fijian Community in Wellington to mark Fiji's Independence Day celebration. Mrs. Mere Tora, the Acting High Commissioner spoke at the Church Service. At the invitation of the Fijian Community, President Prabodh Mishra also spoke at the Church Service. After the Service Mr and Mrs Mishra joined everyone for a sumptuous meal at the Church Hall.

Fiji Football Association Wellington:



Fiji Football Association held their annual Inter District Soccer Tournament on 20th and 21 October 2012 for Mishra Cup at Wakefield Artificial Turf Grounds. Some 9 teams participated. The eventual winner was Lautoka who beat Suva 1 nil in the final. Tavua was judged as the winner of the best dressed team.

The games were opened by President Prabodh Mishra who was also the judge for the best dressed Team. Mr. Mishra is NOT from TAVUA!

FIA congratulates Mr. Dev Singh the President of the Fiji Football Association Wellington and his Committee for organising a very successful tournament.



Rattan Prakash Community Liaisons Advisor at Statistics New Zealand

Mr. Rattan Prakash has been appointed as a Community Liaisons Advisor for Statistics New Zealand. The Community Liaison teams are responsible for using their networks and channels to influence key members of organisations and hard to reach groups to encourage their participation, from hard to reach groups, in the 2013 Census. Rattan will work closely with community based service providers contracted to promote participation in the 2013 Census for the designated hard to reach communities. These include Chinese, Indian and other ethnic groups such as new migrants and refugees in New Zealand. If you are interested in more information please visit www.census.govt.nz website.

Our congratulations to Mr. Rattan Prakash on this important appointment.

Subhash Muneshwar

Our congratulations to Mr. Subhash Muneshwar for launching his own website named UDAAN containing some of his poems in English named **A philosophical Perspective**

Much of his work including poems for various target groups and some short stories are in Hindi. The poems are also in audio mode just in case you do not feel like reading or cannot read Hindi.

The website link is <http://homepages.slingshot.co.nz/~muneshwar/>

FIA Constitution

Attached is a draft FIA Constitution which will be reviewed by FIA Executive. Please note that all financial members are welcome to recommend amendments to the Constitution as a matter of their rights. If you have any comments or amendments you wish to make please feel free to do so and send your amendments to the Secretary

Mr. Naren Lal at: narenl@paradise.net.nz

Any amendments proposed will need to be approved by a full AGM before they are incorporated in the Constitution.

CONSTITUTION OF FIJI INDIAN ASSOCIATION WGTN INCORPORATED

Article 1: Name

The name of this organisation shall be: **FIJI INDIAN ASSOCIATION Wgtn. Inc.**

Article 2: Key Objectives

-) To serve the interests of Fiji Indians in Wellington
- a) To be a non-profit and non-sectarian organisation and to be transparent and accountable for its activities.
- b) To promote and foster harmonious relationship amongst various sections of Fiji Indian community and other communities in Wellington.
- c) To facilitate Fiji Indian community needs through cultural, social/economic, political, educational and charitable activities.
- d) To facilitate youth and elderly for their wellbeing.**
- e) Act as a conduit to help members of the Fiji Indian community in times of personal difficulties through provision of advise, support and representation.**
- f) To liaise with NZ Government and local bodies for the benefit of the Fiji Indian community.
- g) To promote and foster integration of Fiji Indian community with New Zealand culture and mainstream environment and to participate in New Zealand social activities where practical.
- h) The Association will strive to ensure unity among Fiji Indians and will foster better relations within the Fiji Indian community
- i) The Association shall make representations to the New Zealand Government for the economic, educational, social and cultural advancement of Fiji Indians in Wellington.
- j) In respect of Fiji:
 - Assist Fiji Indians as and when appropriate.
 - Assist Fiji during times of natural disasters and other civil emergencies.
 - Make appropriate representations to Government, other organisations and agencies on Fiji's social, political and cultural matters.
- k) And any other objective that may from time to time be established by the AGM.

Article 3: Membership

-) **Membership** is open to all Fiji Indians in NZ who hold either permanent residence or citizenship of New Zealand, Work Permit and/or on student permit and their descendants who pay a prescribed annual fee. Fee would be charged for all members who are 18 years of age.
- a) **Membership is also open to any person whose one parent is a Fiji Indian**
- b) **Where a partner is not a Fiji Indian then that person can hold full membership of the Association. Such membership would lapse at the end of the financial year if the couple separate or die. The membership will however apply to any children born through that relationship.**

b) Membership Fees

A flat rate of \$10 per person over the age of 18 years will be applicable. Membership fee may be amended by the AGM from time to time. The membership fee will expire on 30th June coinciding with the end of the financial year.

c) Foundation Members:

The membership is restricted to those members who initiated the formation of the Association and have donated a minimum of \$1000 to the Association within 5 years of

its formation. The foundation members will be issued with Association Certificate detailing their foundation membership status and privileges. **(See appendix 1)**

Article 4: Officers

There will be fourteen elected members of the Association, including a President, Vice President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, a Communication Advisor and seven committee members.

No person can hold the position of President for more than two consecutive terms. However a person can be elected as President after a lapse of at least two years after holding the position.

- ❖ a) A **President** will be elected to chair the Association meetings, to make all necessary arrangements for Association's participation in any events, to report on the activities of the Association at the annual general meetings and to direct the work of elected members. The President in consultation of the committee will also have the powers to co-opt any member of the community to help with any projects or undertake specific duties that may require expertise not resident in the elected officials, for fixed periods of time. The President or anyone the President delegates that responsibility to in consultation with Communication Advisor will also be responsible for issuing media statements or making comments in the media on issues of concern to the Association. The President in consultation with the Committee will have the powers to appoint new Committee member/s on resignation of any existing committee member/s. The nominated members will have full powers of existing members.
- ❖ b) A **Vice President** will be elected whose duties will be to aid the President in his/her assigned duties and responsibilities, and to be ready to take over the duties and responsibilities of the president should it become necessary in the absence of the President.
- ❖ c) A **Secretary** will be elected to adequately publicise all association meetings and to keep record of all business conducted by the association. These records will be available to Association Members. The Secretary will also maintain an up to date register of all paid members. The Secretary shall be the first point of contact for the Association. The Secretary will also carry out any other duties as assigned by the President from time to time.
- ❖ d) **Assistant Secretary:** The assistant secretary shall assist the Secretary in all matters relating to the running of the Association and shall act as Secretary in the absence of the Secretary.
- ❖ e) A **Treasurer** will be elected with duties to maintaining the treasury of the association, keeping an accurate record of all expenditure and income, and allocating funds as directed by the elected Committee. The Treasurer and the President and in the absence of the President, the Vice President will be the main signatory to any association payments and withdrawals. The Committee will ensure that proper books of accounts are maintained. True and accurate entries are made of all assets and liabilities and all sums of money received and paid are accounted for and presented at every committee meeting on excel spreadsheet.
- ❖ f) **Assistant Treasurer:** The assistant treasurer shall assist the Treasurer in all matters relating to the running of the Association and shall act as Treasurer in the absence of the Treasurer.
- ❖ g) **Communication Advisor:** The Communication Advisor shall be responsible for publicising the activities of the Association by way of newsletters, electronic communication and other means necessary to disseminate the aims and objectives of the association. He/she will also be responsible for all media liaison work in consultation with the President.
- ❖ h) **Seven elected Committee Members;** They will help as part of the Association's

Committee. Their specific duties will be to attend all meetings and support all Association initiatives including duties assigned by the President in carrying out the Constitutional **and other** requirements of the Association.

Article 5: Meetings

a) The Committee will meet on as and when required basis to discuss Association business. The Committee must have at least seven out of fourteen members, one of who would be the President or in the absence of President the Vice President before a meeting can be conducted. At all meetings the Secretary and the Treasurer shall keep full minutes and full financial statements respectively and copies circulated to all members of the Committee. **(Full financial records will be available at all meetings)**

b) Notice Period

One week's notice will be provided before any such committee meeting is convened or shorter period of notice for **urgent** meetings. However if the dates are established well in advance of meeting and all Committee members have agreed to those dates then notice period is not required for regular Committee meetings.

c) Communications

The Communication Advisor together with the Secretary or anyone else co-opted from the existing committee will be responsible for keeping all paid members of the Association informed with activities of the Association. **(Quarterly Newsletter will be provided to all Financial Members)**

d) Voting

Only financial members of the association will be eligible to vote in any elections. Such voting will be conducted through a ballot system if it is deemed necessary and will be conducted by a small independent committee **(of no more than three)** appointed by the President in the first instance.

e) Expenses

The Committee members will be reimbursed for all approved reasonable expenditure directly incurred in carrying out agreed duties on behalf of the Association.

f) Annual General Meetings

The Committee will decide when to hold the annual general meeting but as a general rule they should be held within two months after the end of the financial year. The annual general meeting will be held each year at a time and place fixed by the **President**. All nominations for Executive positions must reach the Secretary of the Association one week before the AGM to enable the Association to publish the names of the nominees to all paid members of the Association and **to prepare Ballot papers etc).**

g) Business at the Annual General Meeting

At the annual general meeting the following business shall be transacted

0. Consideration of the Annual Report presented by the President.
1. Approval of the audited annual accounts and the Consolidated Accounts as presented by the Treasurer.
2. Recording of the appointment of Trustees
3. Election of office bearers
4. Consideration of any other general business.

h) Special General Meeting

- . Any paid member of the association at any time can call this provided two third paid members agree in writing (petition) for such a meeting. In the event of such

a meeting the paid member will request the Secretary and the President to call a meeting and specific reason/s for such a meeting will also be disseminated to all paid members by the Secretary or the President. As a general rule such a meeting will be called within one month of such notification.

- I. **If the President fails to call such a meeting inspite two third members agreeing to hold the Special General Meeting then the members can hold the meeting without the President and the Vice President can take change of the proceedings.**
- II. Special General Meeting can make changes to the constitution provided two third of the foundation members and two thirds of paid financial members vote for such a change. Foundation members shall be counted as financial members also for the purpose of amendments to the constitution.

i) **Venue:** The Secretary will provide details of the venue, times etc of the meetings.

Article 6: Finances

-) Funding for the Association is to come from various means, including membership fee (to be determined by annual general meeting). Community funding trusts for specific projects, major donations or sponsorships etc. All funds will be handled by the Treasurer and will be subject to a full audit.
- a) Acquisition: The Committee will have powers to purchase and or acquire assets on behalf of the Association **only with the approval of the Trustees** and Annual General Meeting or Special General Meeting.
- b) Powers to borrow: The Committee will have all the powers to borrow funds on behalf of the association as long as the process and the amount has been fully endorsed by two third paid members of the association by annual general meeting or special general meeting.
- c) Disposal of Assets: the Committee in consultation **with the Trustees** and two third paid members of the association can dispense of association assets to a recognised charity/s identified by the association members.
- d) **The President or any Executive Committee members do not have powers to spend any money in excess of \$3,000 without the approval of the Trustees.**
- e) Contracts: No Committee members must gain from any tenders or contracts or work given by the Committee and neither would the Committee consider any such submission for tenders or contracts.
- f) The financial year of the association shall end on 30th June.

Article 7: Termination of Committee member's Office

The full Committee may suspend the appointment of any member of the Committee on the following grounds:

- ❖ Continued absence from meetings (missed **3** consecutive meetings without valid reason)
- ❖ Serious misconduct. Where the Committee considers that the behaviour of an elected member has or can bring the Association into disrepute and has also breached the Association's Code of Conduct. **(See appendix 2)**

The elected committee shall have the powers to suspend any member for serious misconduct and the committee will also provide the suspended member an opportunity to present his/her case before a decision is made.

Article 8: Friends of the FIJI INDIAN ASSOCIATION Wgtn. Inc.

The committee can offer honorary paid membership to non-members who are friends of the association. They will not have any voting rights and will not be able to hold any executive position/s.

Article 9: Life membership

From time to time the Committee may award life membership to individuals for meritorious service to the **FIJI INDIAN ASSOCIATION Wgtn Inc.**

Life membership may also be granted by the President in consultation with the Executive to any financial member who has been a fully paid up member of the Association for 10 years or more

Such award would only be granted to financial members. Life membership exempts holders of such distinction from all annual subscriptions and allows them free entry to any paid functions of the association.

Article 10 (new) Trust Deed (See appendix 3)

Article 10: Resignation

Any member of the Committee can resign by sending their resignation letter to the Secretary or the President. In the case of the resignation of Secretary, Treasurer or the President, a proper handing and taking over of duties are to be completed within the resignation period. **(In the case of resignation of the President, the Vice President will assume the full powers of the President until the next AGM.)**

Article 11: Amendments

This constitution can be amended by two thirds of paid members of the association present at any special general meeting or at the annual general meeting.

Article 12: Registered Office

The registered office will be at **residence of the Secretary**, Wellington or any other office as agreed by the Executive from time to time.

Article 13: Auditor

An external auditor will be appointed by the Committee to audit the full set of the Association's accounts each year prior to the annual general meeting.

Article 14: Co-opt

The President will have powers to co-opt any person in an advisory capacity to help with one off specific projects for defined periods of time.

Article 15: Indemnity of Committee members of the Association

No Committee member shall be liable for any loss by the Association other than a loss attributable to a Committee member's dishonesty or the wilful commission or omission of an act known to be a breach of trust.

Article 16: Dissolution

The Committee must call a special general meeting for dissolution of the Association in accordance with set procedure laid out by the registrar of such associations. Once the Association is dissolved then any remaining assets after the settlement of all affairs of the Association including any debts, claims etc. will be donated to a charity nominated by the Association.

Article 17: Ratification

This constitution has been approved by the first annual general meeting of the members of the *FIJI INDIAN ASSOCIATION Wgtn. Inc.* based in Wellington

FOUNDATION MEMBERS

FIJI INDIAN ASSOCIATION WELLINGTON Inc.

Article of the FIA Constitution states:

Foundation Members:

The membership is restricted to those members who initiated the formation of the Association and have donated a minimum of \$1000 to the Association within 5 years of its formation. The foundation members will be issued with Association Certificate detailing their foundation membership status and privileges.

All Foundation membership privileges:

- FIA Certificate signed by the President
- Foundation members name will be placed on a plaque in the FIA building
- Free invitation to selected Fiji Indian Association functions
- Reserved seats to FIA functions to all members and their spouses
- A lapel pin badge will also be issued
- A **"Feel Good"** factor of being part of such a worthwhile cause.
- Networking opportunities to meet with other Foundation members at Social gatherings people in our community.
- Placing of Foundation Member's Name on FIA Website- a site dedicated to Foundation members.
- Names all Foundation members will be published once each year in FIA Newsletter

Appendix 2

CODE OF CONDUCT: FIJI INDIAN ASSOCIATION WELLINGTON INC.

Code of conduct should not be breached.

All Executive Committee members should fulfil their lawful obligations with professionalism and integrity.

1. OBLIGATION

The priority for Executive Committee members of the Fiji Indian Association Wellington Inc. (FIA) are to diligently carry out all the duties and responsibilities assigned to them. In doing so, they are expected to act in a manner that will bear the closest public scrutiny.

The Executive are obliged to serve the aims and objectives of FIA. The Executives should ensure that their personal interests or activities do not interfere with, or appear to interfere with, this obligation to the FIA. The Executives are therefore obliged to serve the FIA within the law, with integrity, and to the best of their ability.

Political Statements

The President in consultation with the Communication Advisor may authorise certain Executive to respond to media requests for comment about aspects of FIA policies, or its implementation or administration or any other media inquiry. Official comment on behalf of FIA should be made only by those Executive authorised to do so by the President and no one else. If comments are made without authorisation, then it could lead to disciplinary action and depending on the severity of the situation, an Executive may be disciplined and or dismissed. However the member will be given an opportunity to present his/her case to the full committee before any decision is taken by the Committee.

Occasionally dilemmas can arise, where Executive have strong personal beliefs on issues that conflict with their official duties in FIA. In such circumstances, the Executive member should discuss his or her concerns with the full committee before taking any action.

If Executives find themselves in a situation where their conscience constrains them from carrying out their duties, they should discuss their circumstances and options with the full committee. They must not do anything to circumvent or undermine the Constitution of the FIA.

Individual Comment

Generally, the Executive have the same rights of free speech and independence in the conduct of their private affairs as other members of the public. However, they also have a duty not to compromise FIA by public criticism of, or comment on, FIA activities.

The Executive should ensure that their contribution to any public debate or discussion on such matters is appropriate, and is compatible with the needs of FIA.

In general, comment made by the Executive on matters of public interest would be regarded as unacceptable if it:

- used or revealed any information gained in the course of official duties where this was not already known by, or readily available to, the general public;
- criticised FIA to an outside organisation or in public or issued a statement either written or verbal criticising Fay's activities
- purported to express or imply FIA view without authority and give openly partisan support to any group opposed to FIA for any reason;
- constituted a personal attack on an Executive.
- Amounted to a criticism sufficiently strong and/or persistent so as to call into question Executive's ability to impartially implement, administer, or advise upon FIA strategies, policies etc.

Actions of this kind may amount to misconduct, depending on the circumstances of the case.

Participation in Public Bodies or Voluntary Associations

Executive are free to stand for, or be appointed to, any office or position on any public or voluntary body. However, they should first inform the full Executive Committee of their

intentions, to ensure that no conflict exists between such participation and their duties and responsibilities as an Executive of the FIA. Where the full Executive considers that there would be a conflict of interest, arrangements need to be made to avoid or resolve the conflict. In some cases this may require that the Executive be requested not to stand for office, or to resign a position already held.

Standing as a Member of Parliament

Executives may offer themselves as candidates for Parliament or local body. An Executive wishing to stand as a candidate in a general election, or a by-election, will be asked to resign.

Release of Official Information

Official information on any FIA business should be released only by the President or whoever the President authorises to deal with requests for information.

Depending on the circumstances of the case, the unauthorised disclosure of information by an Executive may lead to disciplinary action, including dismissal.

2. OBLIGATION

All Executive should perform their FIA duties honestly, faithfully and efficiently, respecting the rights of their colleagues.

It is general obligations of Executives to give satisfactory service, to respect the rights of the colleagues, and to refrain from conduct that might lead to conflicts of interest or integrity.

Performance of FIA Duties

The Executives should carry out their FIA duties in an efficient and competent manner, and avoid behaviour, which might impair their effectiveness

There is an accepted common-law obligation on all Executive, to properly perform the FIA duties for which they are elected.

This obligation includes the following duties:

- to be competent and efficient in the performance of assigned FIA duties ;
- to show reasonable care, and neither use, nor allow the use of, FIA property, resources, or funds for anything other than authorised purposes;
- to incur no liability on the part of the FIA without proper authorisation; and

Respect for the Rights of Others

In performing their FIA duties, Executive should respect the rights of their colleagues.

As well as being responsible for their own performance, the Executive also have a duty to contribute to the smooth functioning of FIA operations by treating their colleagues with courtesy and respect. This means the Executives are expected:

- to avoid behaviour which might endanger or cause distress to their colleagues, or otherwise contribute to disruption of FIA activities
- to respect the privacy of individuals when dealing with personal information;

- not to discriminate against any person because of their sex, marital status, colour, race, ethnic or national origins, age, political opinion, employment status, family status, sexual orientation, ethnicity, disability or religious or ethical beliefs;
- not to harass, bully or otherwise intimidate other Executives;
- to respect the cultural background of colleagues in all FIA dealings; and
- To have due regard for the safety of others in the use of FIA property and resources.

Integrity and avoidance of Conflicts of Interest

The Executives should perform their FIA duties honestly and impartially, and avoid situations, which might compromise their integrity or otherwise lead to conflicts of interest

The impartiality and integrity of Executive are central to the maintenance of trust and confidence in the FIA. The Executive should always act with personal integrity and their actions should be able to bear the closest public and private scrutiny.

The Executive should not only avoid circumstances in which their personal interests conflict with the interests of FIA, but should also avoid those circumstances in which there could be the appearance of such conflict.

No individual or organisation with which an Executive is involved may be given preferential treatment (whether by access to goods and services or access to 'inside information') over any other individual or organisation.

Executive should not bring FIA into disrepute through their private activities.

OBLIGATION

Personal Behaviour

The Executive should avoid any activities, whether connected with their FIA duties or otherwise, which might bring FIA into disrepute, or jeopardise relationships with the general public.

As a general principle, Executive's personal behaviour that does not interfere with the performance of their FIA duties or reflect on the integrity or standing of the FIA is of no concern to the FIA.

However, FIA has a legitimate interest where the private activities of an Executive reflect to the discredit of the FIA.

Misconduct and serious misconduct

Description

Serious misconduct is a serious breach of conduct by an Executive that may give rise to summary dismissal with or without notice.

Misconduct, which is not serious misconduct, is a breach of the general standards of behaviour, which are required of every Executive.

There are two categories of behaviour that can result in disciplinary action, Misconduct and Serious Misconduct.

Serious Misconduct Procedures

In the case of serious misconduct, Executive may be dismissed on the first occurrence of the behaviour and the following procedure will be carried out:

Executive will be advised of the nature of the allegation and the potential consequences should the allegation be substantiated.

An investigation will be carried out if deemed necessary by the FIA

A disciplinary meeting will be held with all FIA Executive, before any action is taken.

Throughout the process, it is essential that the Executive is given adequate opportunity to consult with whoever they wish

Misconduct, Poor Performance and Attitude Problems Procedures

In the case of misconduct, poor performance of FIA activities assigned or attitude problems, the following procedure will be carried out:

A disciplinary meeting will be held with the Full Executive.

If the behaviour fails to improve within a reasonable period of time, or any stated period of time, or is repeated, a second disciplinary meeting will be held.

If the behaviour continues or is repeated again, a disciplinary meeting will be held which may result in dismissal from the Executive.

Any other serious misconduct, including:

- Assault
- Theft or dishonesty
- Wilful damage to FIA property may lead to dismissal from FIA Executive
-

It is the expectation of the FIA that all Executives will comply with the Code of Conduct and perform their FIA responsibilities diligently and that disciplinary procedure will be the last option exercised

Appendix 3

TRUST DEED 2008

0. BACKGROUND

The Constitution of the Fiji Indian Association Wellington Inc. amended to include the creation of Trust Deed.

1. The Trust Deed has been established by the Annual General Meeting in July 2008 of FIA Wellington Inc.
 - . Three (3) Trustees for the Fiji Indian Association Wellington Inc. will be

appointed on the following basis.

- . The Trustees will be appointed by the President of the Fiji Indian Association in agreement with the elected Executive members of FIA for a period of three years.
- . The President in agreement of the elected Executive of the Association will appoint the Chairperson of the Trustees for a period of three years.

0. WHO CAN BE A TRUSTEE

- . Anyone who has been a financial member of the FIA for a minimum of two years and is currently a financial member;
- I. Must not have any criminal conviction leading to imprisonment for any duration or guilty of any offence not covered by NZ Statute of Limitation;
- II. Is a undischarged bankrupt;
- III. And has no conflict of interest;
- IV. Is of good character and acceptable to the wider Fiji Indian Community.

0. A new trustee may be appointed by the President of the FIA in agreement with the Executive anytime before the AGM (mid term) when a Trustee

- . is dead
- I. is unfit to act or incapable of acting
- II. Is medically unwell and unable to attend meetings
- III. refuses to act
- IV. mentally disordered
- V. is overseas for more than six months in a year
- VI. no longer wishes to be a Trustee
- VII. has been declared a bankrupt by the Courts
- VIII. Has been convicted by the court and imprisoned for any period of time.
- IX. Does not attend three consecutive meetings of the Trustees without a valid reason.

0. OBJECTIVES AND POWERS

The Trustees in accordance with this Trust Deed will promote, support and encourage all the key objectives of the Fiji Indian Association Wellington Inc. as outlined in the constitution and all its amendments.

Some specific duties of trustees in accordance with this Trust Deed are:

- . The Duty to understand and obey the terms of the Trust as established in this Trust Deed.
- I. The Trustees must at all times act within the law.
- II. Trustees must not use knowledge or influence gained as a result of being a Trustee to advance their own personal position.
- III. Trustees must:
 - act personally rather than delegating decisions to others
 - act honestly and with the level of skill and care that would be expected of the reasonable person in administering the affairs of FIA
 - be thoroughly familiar with the terms of the Trust Deed

. *The Duty to Act Personally*

Trustees must personally be involved in, and make all recommendations concerning FIA matters. While independent advice can be sought, all final recommendations rest with the Trustees.

. *The Duty to Know the Action of Former Trustees*

It is important that all Trustees know what has taken place in the past. Therefore it is imperative that all Trustees records are kept safe and secure by the Trustees and after the end of the Chairperson's term of Office a full set of records must be handed to the incoming Chairperson with appropriate briefing from the outgoing Chair.

. *The Duty to Act in the Best Interests of FIA*

Trustees are required to act impartially and it is important that Trustees consider the needs of FIA members present and future.

i. *The Duty to Know the Current Position of the Trust*

All Trustees must remain up to date with the actions of the FIA including what the assets and liabilities of FIA are. This is particularly relevant as Trustees are not involved in the day to day administration of FIA. The Trustees have a governance role (**OVERVIEW ROLE**) and management of FIA is the responsibility of the President and Executive Committee of the FIA.

ii. *The Duty to Account*

Trustees are required to ENSURE that proper records of FIA are kept by the FIA Executive. These records will normally include:

- Trust Deed
- Agreements for Sale and Purchase of FIA Building
- Deeds of Acknowledgement of Debt if any
- Minutes of FIA
- Resolutions of FIA taken at the AGM
- Amendments to Constitution

Financial Accounts

- Tax Records if applicable
- Copies of Independent Advice
- General correspondence

(This is guide to records required and is not an exhaustive list)

In addition to keeping proper records, Trustees will need to ensure that the FIA Executive keeps valuable and/or original documents in safe custody.

iii. *The Duty to Supply Information*

FIA financial members are entitled to certain information about FIA. This will often include the Trust Deed, and financial accounts. The Trustees will ensure that these are supplied by the FIA Executive at each AGM.

. *The Duty to Invest Prudently*

A very important duty of Trustee is to ensure that FIA Executive invest prudently. This

means exercising “the care, diligence and skill that a prudent person of business would exercise in managing the affairs of others.” **FIA must ensure that the Trustees approval is sought before any financial commitments in relation to purchase or investment in any assets or property are undertaken by the FIA Executive which is in excess of \$3,000. The Trustees also have** the right to present its report to the financial members of their recommendation/s at the AGM.

. *The Duty to Protect FIA Assets*

No FIA property in excess of \$3,000 should be disposed of for any reason without the sign off by the Trustees. No purchase of any property or leasing of such property can be undertaken by the FIA without the express approval of the Trustees and AGM. Such purchases or leasing can create a large debt portfolio and may be to the detriment of the FIA. In addition Trustees will ensure that FIA assets are adequately insured and that that insurance is regularly reviewed. It is the role of the President of FIA to brief the Chairperson of the Trustees on such matters and the President should work on a no surprise basis with Trustees

i. *The Duty to Meet Tax Obligations*

Trustees will ensure that FIA Executive file tax returns with Inland Revenue if so required.. It is important for Trustees ensure that FIA Executive keep the tax responsibilities up to date as there can be penalties and interest charged if they are not. The advice of a suitably qualified accountant should be sought by FIA where necessary.

ii. *The Duty to Carry Out Duties Without Payment*

Trustees are required to act without payment. The exception allowing the receipt of payment is that **Trustees are able to recover reasonable expenses in relation to work as approved by the President of FIA.**

iii. *The Duty to Not Benefit Personally from being a Trustee of FIA*

As a fiduciary, a Trustee will not benefit personally. Trustees are required to act in good faith and where conflicts of interest arise Trustees need to act carefully and consider taking professional advice.

1. Other specific ongoing duties of trustees

- . *Trustees’ meetings & minutes* –the Trustees will probably need to meet regularly if another building is to be acquired by the FIA Executive (once approved by Trustees and AGM) so that FIA can brief Trustees of progress. However often the Trustees meet, all meetings will be recorded in the minute, along with all decisions; including reasons for the decision and background information.
- I. *Annual accounts* – The President of the FIA will advise at least each quarterly that all accounts of FIA are in order and will provide a very brief written financial position of the FIA for Trustees information TWICE YEARLY.
- II. *Annual income tax returns* – The Trustees will ensure that income tax returns for the FIA are filed if so required.
- III. *Other files and records* – The Trustees will maintain a file or diary of correspondence

2. A Trustee will not be liable for any losses suffered by FIA if he or she acts prudently and considers the interests of all FIA financial members.

3. *Cautionary notes*

- . The duties of Trustees are important and often complex. A Trustee should understand them fully.
- I. The Trustees can request the President to be present at any Trustees meeting to answer any questions the Trustees may have. The President of FIA would be obliged to attend such meeting and he or she cannot substitute any others member of the Executive to attend of behalf of the President.

Civil Defence Preparedness

If you have not prepared yourself and your family for natural disaster then please do so as a precautionary measure as Wellington sits on fault line.

[Your] Some emergency survival suggestions : [items]

EXPECT TO BE WITHOUT HELP FOR THREE DAYS:

Water: Have a minimum of three liters of drinking water a person a day but more is recommended. There should also be water for washing dishes and people- about a litre per event. Fill each bottle with tap water until it overflows and add 5 drops of household bleach per litre of water and put it in storage. Make sure there are no air gaps and place the lids on tightly. Check the bottles every year and if the water is not clear, then throw it out and commence the process again.

Non Perishable food; Enough to last 3 days. It can include canned meats, fish, fruits, vegetables, cereals, powered soup, tea, coffee, salt, sugar, UHT or powered milk, biscuits and sweets. Check food each year.

Primus or gas cooker/BBQ: Ensure the gas canister is full

Eating utensils: Including a can opener, matches, a lighter, knives, forks, spoons, plates, mugs and bowls.

First Aid Kit and essential medicines.

Waterproof torches with spare batteries.

Hygiene; Soap, wet wipes, towels, toilet paper and plastic rubbish bags to use as emergency toilet.

Clothing; Warm water proof clothing, sturdy shoes and emergency blankets or sleeping bags

Important documents: Birth and marriage certificates, driver's licenses, passports, insurance policies, family photos.

Special Supplies: Food and supplies for babies and pets. Hearing aids, asthma inhalers, walking stick if needed etc.

Protective gear: Sun hats and sun screen; face and dust masks.

Notebook and pen