



MANNAR FRIENDSHIP ASSOCIATION

TORONTO, CANADA CHAPTER

WWW.MFAONLINE.CA

PHONE: (416) 613 – 4965

FAX: (416) 613 – 1908

CONSTITUTION February 4, 2005 (revised 2008) (revised 2015)

1. NAME OF THE ASSOCIATION:

The organization described in this constitution is to be known as the **Mannar Friendship Association** and is registered in the Province of Ontario as a Not for Profit Corporation.

2. OFFICE AND ADDRESS:

The address of the Association shall be 37 Cape Verde Way, Maple in the City of Vaughan, Province of Ontario.

3. PURPOSE

The purposes of the Association are to develop and foster community spirit; to promote, encourage and assist the educational, charitable and recreational endeavors of the members; to promote the development of recreational activities and facilities; to promote cultural life in the community; to hold public meetings to consider and discuss all questions affecting the interests of the members; and to promote services represented by needs and interests of the members; all on a non-profit, non-sectarian and non-political basis.

The Association will achieve its objectives by collecting membership fee, fundraising events, applying for grants, soliciting contributions, representing the member's interests to the appropriate levels of government on a neutral basis, and volunteering time and skills.

The corporation shall be carried on without the purpose of gain for its members and any profits or other accretions to the corporation shall be used in promoting its objects. The corporation shall be subject to the applicable governing legislation. For the above objects, and as incidental and ancillary thereto, the Association may exercise any of the powers normally associated with a non-profit corporation.

4. MEMBERSHIP

Any individual who has been a resident of Mannar District in Sri Lanka or has interest in that District is entitled to be a member, and becomes a member Simply by choosing to participate in the association's activities and agreeing to pay membership dues. Any member may withdraw by ceasing to participate or by delivering a written resignation to one of the directors.

5. VOTING

A. All members are entitled to one vote in person at all of the Association's General Meetings. Proxy votes are not allowed. If duly challenged, members must be able to indicate proof of their membership status. All members are considered members, provided they paid up to date for their membership fees/dues. Any member who is in default of membership fees may make payment to the Treasurer or the Assistant as appointed by the Executive Committee, during any official meeting of the Mannar Friendship Association.

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B. All motions will be decided by a simple majority, of fifty percent plus one of the votes cast, unless these by-laws or the applicable governing legislation provides otherwise. Any motion to be considered must be moved and seconded by a member. The president can exercise his/her vote only to break a tie.

C. Voting at General Meetings and Election of Executive Committee members will be by a show of hands unless a secret ballot is requested by one third of members present. The Chief Election Officer for the election of Executive Committee will be chosen by the members present at the Annual General Meeting.

6. Voting at Executive Committee meetings

A. Only members of the Executive Committee and any Directors and Patrons present have the right to vote at a meeting of the Committee. All votes at Executive Committee meetings will normally be taken by assent or dissent. Votes will be taken by secret ballot only if demanded by any three executive committee members present, and the votes will be decided by majority vote, unless these by-laws or the applicable governing legislation provide otherwise. Members of the Executive Committee who cannot attend an Executive Committee in person are permitted to attend by telephone and express their votes by telephone, or by such other method as is agreed to by a majority of the Committee.

7. EXECUTIVE COMMITTEE

A. The affairs of the Association are to be administered by the Executive Committee. This Committee, consisting of a minimum of FIVE (5) and a minimum of THREE (3) directors. Directors can be nominated and elected even if they are not personally present at the vote, so long as they have consented to the nomination in advance of the election. **The Executive Committee, Director and Patron positions are to be filled by members who are at least eighteen (18) years of age and have the legal power to contract and have been paying members of the Mannar Friendship Association for a Minimum of 2-Years, to be elected at the Annual General Meeting.**

8. DIRECTORS

A. The Directors will oversee the affairs of the association and the functions of the Executive Committee by providing direction and guidance. They may choose to attend Executive Committee meetings and if they do they will have the right to vote at the meetings. The directors may make or cause to be made for the corporation, in its name, any kind of contract which the corporation may lawfully enter into and do all such other acts and things as the Association is authorized by this constitution and the applicable governing legislation to do. The directors have the power to authorize expenditures on behalf of the Association. The directors may take such steps as they consider necessary to enable the Association to acquire,

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accept, solicit or receive legacies, gifts, grants, settlements, bequests, endowments and donations of any kind for the purpose of furthering the objects of the Association.

B. In the Constitution of the Mannar Friendship Association there exists a maximum of (5) FIVE and a minimum of (3) THREE positions for Directors.

9. EXECUTIVE COMMITTEE

A. The Executive Committee positions are:

1. President 2. Vice-President 3. Secretary 4. Treasurer 5. Social Secretary (revised 2008)

The directors and the committee members will serve without remuneration and will not receive directly or indirectly any profit from his or her position.

B. [Term of Office] Term of office is for one (2) years period (revised 2008). The Committee is to be elected at the Annual General Meeting. Only members in good standing can be elected to the Executive Committee. Any member of current Executive Committee, may choose to contest again for the position they already hold or for any of the other Committee positions. If there are more than one constantan for any of the Executive Committee or Directorial positions, the voting procedure will be used.

C. [Vacancies on Executive Committee] Should a vacancy occur on the Committee at any time and for any reason, the Committee may appoint any member of the Association to fill the position with all privileges and rights of an elected officer until the next Annual General Meeting. Always the minimum requirement to serve on the Committee applies: The Executive Committee, Director and Patron positions are to be filled by members who are at least eighteen (18) years of age and have the legal power to contract and have been paying members of the Mannar Friendship Association for a Minimum of 2-Years, to be elected at the Annual General Meeting.

D. Any member of the Committee failing to attend two (2) consecutive Executive Committee and/or General Meetings, or five meetings in a 12-month period without reasonable and proper notification to the President or the Vice-President will be deemed to have resigned her or his position.

E. Upon the written request addressed to at least two of the Directors, of at least 20 members requesting a vote to remove one or more directors, a General Meeting must be held to vote on the removal of the director(s). If three-quarters of the members' present vote to remove the director(s), the director(s) will stop being a director(s). If a director is removed, a replacement director must be chosen at the same General Meeting. The General Meeting to vote on the removal request must be held within 30 days of the request being received, and notice to the members that there will be a General Meeting to vote on whether to remove the named director(s) must be provided to the members at least 10 calendar days before the General Meeting is held.

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10. Responsibilities of the Executive Committee members

F. The President's duties are:

- Chair all the meetings of the Executive Committee, calling special meetings as required
- Provide leadership to the Executive Committee and the Association
- Represent the Executive Committee and speak on behalf of the Association at public functions and activities
- Sign documents on behalf of the Association, co-signed by at least one other Committee member. (Cheques must be signed by the Treasurer and anyone of: President, Vice-President or Secretary.)

G. The Vice-President's duties are:

- Fulfill all the duties of the President in his or her absence
- Prepare a yearly action plan for the Association
- Ensure proper information and publicity are provided for the Association and its activities
- Fulfill additional duties as assigned by the President

H. The Secretary's duties are:

- Keep a record of the deliberations and attendance at all meetings of the general membership and of the Executive Committee
- Provide access to the above records to members upon their request, to be made available no later than at the next General Meeting
- Prepare correspondence as instructed by the President or alternate
- Ensure that minutes of the meetings are approved by the Executive Committee
- Prepare agendas for upcoming meetings, in consultation with the President or alternate
- Maintain copies of Letters Patent, Supplementary Letters Patent, By-Laws, Special Resolutions and the Corporate Seal
- Maintain a register of members.

I. The Treasurer's duties are:

- Deposit and keep all monies received by him or her on behalf of the Association in a double Signature account(s) maintained in the name of the Association at a chartered bank or credit union
- Record all financial transactions in the books of account(s) of the Association
- Maintain appropriate financial records and receipts
- Prepare the annual financial statement
- Provide access to previous financial statements to members, upon their request with reasonable notice
- Make all required financial transactions such as deposits, payments and other transactions in accordance with approved financial procedures

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- Sign all cheques issued by the Association, co-signed by anyone of: President, Vice-President or Secretary

J. The Social Secretary's duties are:

- Arrange, coordinate and supervise all social and sports events organized by the Committee
- Propose and make plans for social activities
- Maintain cordial relations with other Similar associations.

11. The Patron

A. The Duties and Authorities of the Patron of the Mannar Friendship Association (MFA):

- Lifetime Membership to the Mannar Friendship Association
- This is a permanent position and can not be suspended
- This person is exempt from paying the MFA membership fees
- This person will be part of the Patrons Committee
- Will serve as the patron for a period of ONE – Year
- Upon completion of the one-year term, will continue to remain as Past Patron of the Mannar Friendship Association.
- Form and manage the Patron Trust
- Will contribute \$3000.00 dollars to the Patron's Trust to be held in an interest bearing account, chosen to currently yield 10% interest per year annually.
- Will advise and partake in the executive committee meetings as needed.
- Will have voting rights accorded to the members of the executive committee
- Will not have the duties and privileges accorded to the executive committee, with the exception of voting powers at executive committee meetings

B. Selection of The Patron is conducted by the Executive Committee. Selected individual must meet the minimum qualification for the title of patron. **Patron positions are to be filled only by members who are: 1) At least eighteen (18) years of age; 2) have the legal power to contract. 3) Have been paying members of the Mannar Friendship Association for a Minimum of 2-Years. 4) Contribute \$3000.00 dollars to the Patron's Trust to be held in an interest bearing account, chosen to currently yield 10% interest per year annually. The Patron is to be elected at the Annual General Meeting or at the Last Annual Meeting of the Year.**

C. The interest bearing account is to be held by the investment company, named, Northern Financial Services and Real Estate Management Ltd., a private Mortgage financing and property management service provider. In short referred to as NFSREM (www.NFSREM.com)

- The interest earned by this trust fund will be paid in its entirety to the Mannar Friendship Association, to continue their service to the Mannar people.

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- The interest earned is to be paid at the end of each year of the term of investment.
- D. The principal will remain the property of the Patron Trust, and to be managed and controlled by the Patrons committee only. The executive committee of the Mannar Friendship Association will have no access nor any say about the Patron Trust.
- E. Patron Trust can only be dissolved, under the following conditions: All patrons who've contributed and are in charge of the trust must agree to the dissolving of the Trust Deposit. Once dissolved the moneys contained in the trust in its entirety must be paid to the Not-For-Profit Organization named: **Mannar Friendship Association**
- F. This trust exists to provide interest only revenue for the Not-For-Profit Organization named: **Mannar Friendship Association**

12. MEETINGS

A. The Association will have Executive Committee meetings, General Meetings, and an Annual General Meeting. All General meetings must be open to all members. Members must be given sufficient notice of such meetings.

C. The President, or in his or her absence the Vice-President, will preside at all meetings.

D. The attendance of at least twenty (20) persons at any General Meeting of the Association constitutes a quorum.

E. A quorum for Executive Committee meetings exists with the presence of three members of the Committee, one of whom must be either the President or Vice- President. When two (2) consecutive Executive meetings fail to produce a quorum, the President or the Vice-President may call a General Meeting to evaluate or rectify the situation.

F. An Annual General Meeting must be held each year. If for some reason this cannot occur, the Annual General Meeting must be held no later than 15 months following the previous Annual General Meeting. It is the responsibility of the current year's Executive Committee to organize the Annual General Meeting.

G. The written advance notice for the Annual General Meeting of the Association must contain: 1. Date, Time and Place of the meeting 2. Meeting objective and/or agenda

13. FUNDS

A. The Association's fiscal year will be from January 1 through December 31.

B. The Executive Committee's financial responsibilities are to:

1. Keep proper records of the Association's revenues and disbursements in accordance with accepted business accounting practices and to prepare an annual report and financial statement for the membership
2. Preserve all accounts and records of the Association for seven years

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3. Maintain insurance for whichever activities and liabilities are considered essential for the financial security of the Association

4. File the required financial statements with the appropriate Government body in order to maintain the status of Not for Profit Corporation.

14. COMMUNICATION

- A. Following official forms of communication have been established for the Mannar Friendship Association.
- B. Official website: www.MFAonline.ca
- C. Official email: info@mfaonline.ca
- D. Official phone number: (416) 613 – 4965 (Location: Toronto, Ontario, Canada)
- E. Official FAX number: (416) 613 – 1908 (Location: Toronto, Ontario, Canada)
- F. Members of Mannar Friendship Association (MFA) are required to contact by any of the above mentioned forms of communication for all official purposes.

15. AMENDMENTS TO THE CONSTITUTION

A. Notice of all proposed amendments to the constitution of the Association must be given in writing to the Executive Committee.

B. Amendments shall be passed with a two thirds majority of members present at the Annual General Meeting.

16. GENERAL

A. The Association as a body, will not endorse any candidate for any elected office or any political party or association.

Mannar Friendship Association, 2015 – Revision of Constitution, Approved by Members Present:

George Nicholas, Eugene Niranjan Nicholas, Jude Rohan Mathews, Shyamala Mathews, Michael Xavier (Master), Indra Xavier, Sylvester Nicholas, Murugesupillai Jeevaratnam (DSO), Jeyabalan Peris, Shiranie Peris, Gaster Benedict, Aruntha Gaster, Wathsala James, Jude Yoganathan, Jenevy Kanikkai

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