

# Milton Keynes Murugan Temple Trust

## CONSTITUTION

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### **ARTICLE 1: Name**

The name of the Institution shall be Milton Keynes Murugan Temple Trust, hereafter referred to as the Trust.

### **ARTICLE 2: Location of Temple and registered Office**

- 2.1 The Temple shall be located temporarily at Loughton Memorial Hall, Bradwell Road, Loughton, Milton Keynes MK5 8AJ, United Kingdom. The trustees shall have the right to move the Temple to different locations as the situation demands and for a good reason.
- 2.2 The Registered Office of the Trust shall be 54 Maye Dicks Road, Rushden, Northamptonshire NN10 0YT
- 2.3 The Registered Office shall only be changed by resolution of the Board of Trustees of the Trust.
- 2.4 Any change in the Registered Office shall be intimated to the Charity Commissioners within a month from such a change in address in the form prescribed by the Treasury regulation.

### **ARTICLE 3: Tenure**

- 3.1 The foreboding intention and wishes of all founding members are that the Trust shall exist in perpetuity in Milton Keynes in the future unless dissolved as per Article 19.
- 3.2 The Trust shall remain and operate as a charitable trust within the jurisdiction of England and Wales.

### **ARTICLE 4: Objects**

- 4.1 To promote Hindu Faith, its doctrines, its scriptures and practice Hindu beliefs through assembly, worship and discourse.
- 4.2 To establish and maintain the Temple as a holy place of worship and enrich the devotees by conducting regular customary Hindu prayers and devotional activities.
- 4.3 To advance traditional Hindu cultural activities, Religious studies and Performing Arts.
- 4.4 To provide facilities and actively co-ordinate social care, social interaction, friendship and goodwill among all people in the wider community.

### **ARTICLE 5: Administration**

Subject to the matters set out below the Trust and its property shall be administered and managed by the members of the Board of Trustees (“The Board”) constituted under Article 9 of this constitution.

- 5.1 All monies received by membership fees, donations, bequests, offerings, ticketed special prayers (or “*Archanas*”) and any gifts monetary or otherwise shall be the

property of the Trust and shall not be used for the benefit of the Board of trustees, officers, ordinary members, servants or other private person. The Board shall by prior determination approve or grant payment to defray receipted expenses incurred by any individual or groups for genuine services rendered in carrying out duties for the Trust or promoting the above said objects.

- 5.2 The income and the property of the Trust shall be applied solely towards the promotion of the objects.

## **ARTICLE 6: Power**

In furtherance of the objects but not otherwise the Trust shall exercise the following powers to:

- 6.1 Progress and relocate the Temple with adequate facilities in Milton Keynes at a permanent location.
- 6.2 Establish a Community Centre for use by devotees and others for social /educational needs and to use the centre for social cohesion and interaction with wider society.
- 6.3 Buy, take on lease or in exchange any property necessary for the attainment of the objects and maintain and equip it for use.
- 6.4 Raise funds and invite and receive contributions from person or persons whatsoever by way of subscriptions and otherwise provided that the Trust shall not undertake permanent trading activities in raising funds for the said objects.
- 6.5 Subject to any consent required by law to sell lease or dispose of all or part of the property of Trust.
- 6.6 Subject to consent required by law to borrow money and to charge all or any part of the property of Trust with repayment of the money so borrowed.
- 6.7 Employ such staff (who shall not be members of the Board) as necessary for the proper pursuit of the objects.
- 6.8 Co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or similar charitable purposes and exchange information and advice with them.
- 6.9 Appoint and constitute such advisory committees as the Board may think fit.
- 6.10 Collect and disseminate information on all matters affecting the above said objects and exchange such information with other bodies having similar objects whether in the UK or overseas.
- 6.11 Write, print or reproduce and circulate, gratuitously or otherwise (Subject to any grant of copy rights given to authors or performers and/or their agents) materials (audio and/or visual) to further the said objects.
- 6.12 Invest monies of the Trust not immediately required for the said objects, in or upon such investment, securities or property as may thought fit subject nevertheless to such (if any) as may for the time being be imposed or required by the law.
- 6.13 The Board shall determine the insurance needs and adequately insure the assets and take out third party liability/indemnity insurance as and when appropriate.
- 6.14 The Board may from time to time make rules or bye-laws for the conduct of their business.

- 6.15 The Board must adopt such means as they think adequate to bring the rules and bye – laws to the notice of the members and attendees of the trust.
- 6.16 The rules and bye-laws shall have a binding effect on all members and attendees of the Trust.
- 6.17 Do all such other lawful things as are necessary for the attainment of the said objects.

### **ARTICLE 7: Restrictions**

- 7.1 The Trust premises or its venue shall be used for religious purposes or Hindu cultural activities only and must not be used for any other kind of propaganda or for political campaigns.
- 7.2 It is prohibited to bring and/or consume non- vegetarian food, alcoholic beverages and controlled substances or cigarette/cigar smoking within the Trust premises. This prohibition shall be enforced by the trustees at all times and any breaches shall be dealt with appropriately as seem fit at that time. The Temple is a divine place of worship therefore the devotees, visitors and well wishers are expected to leave their footwear at a designated place near the entrance before entering the inner sanctum.
- 7.3 By its own reverence the Temple is a place where the patrons seek boon, salvation, offer prayer and pay solemn devotion, to preserve these features the devotees and their children should observe reasonable silence and non interference with those who are taking their vows and offer their prayers.

### **ARTICLE 8: Membership**

- 8.1 Any person can become a member of the trust provided that:
- 8.1.1 He has attained of age of 18 years,
- 8.1.2 Who has the firm faith in Hinduism,
- 8.1.3 Junior membership shall be opened to those under the age of 18 years who are interested in furthering the work of the trust. Junior members shall not be entitled to vote.
- 8.1.4 Who has paid the annual subscription as laid down from time to time by Trust.
- 8.2 Every member shall have one vote.
- 8.3 The Trust may by unanimous vote and for good reason terminate the membership of any individual provided that the individual concerned is given the right to be heard by the Trust, accompanied by a friend, before a final decision is made.
- 8.4 The membership is not transferable to anyone else.
- 8.5 The Trust shall keep a register of names and addresses of the members which must be made available to any member upon request.
- 8.6 **Membership Category:**
- 8.6.1 **Annual Member:** Annual member shall enjoy membership privileges for one calendar year after payment of appropriate annual subscription fees. Any member who is more than one (1) year in arrears in payment of subscription shall forfeit his membership.
- 8.6.2 **Five year Member:** Five year member shall enjoy membership privileges for five years from the month of receipt of appropriate five yearly membership subscriptions fees.
- 8.6.3 **Life Member:** Upon payment of the appropriate donation, a life member shall enjoy membership privileges during his life time.

- 8.6.4 Honorary Member: The Board shall have the right to award 'Honorary Member' title to an individual with distinction and contributed to Hindu religious affairs and/or contributed financially to the Trust fund.
- 8.7 Upgrade: An existing member other than a life member may upgrade his membership during the duration of his current membership by a payment of the difference in fees. The difference in fees must be paid in not more than three instalments.
- 8.8 Resignation: Any member desiring to resign from the membership shall submit his resignation, in writing, e-mail, fax or other legal means, to the Board of Trustees. On approval by the Board the Secretary shall remove the member from the membership register.

## **ARTICLE 9: Trustees 'The Board'**

- 9.1 There shall be a Board of Trustees, referred to as 'the Board' which shall consist of eleven (11) founding members (the list of the names is attached to as appendix 1) plus seven (7) elected from members of good standing at the Annual General Meeting. The founding members shall be the first priority Trustees.
- 9.2 The elected members of the Board shall serve as Trustees for a period of three years from the conclusion of the Annual General Meeting. At the end of their term they are eligible to stand for re-election.
- 9.3 The Board of Trustees shall have the right to appoint up to three (3) additional Trustees to effectively manage the trust as and when necessary in the future.
- 9.4 The main Honorary Office bearers are the Chairman, the Secretary and the Treasurer. They may be elected along with other officers as seem fit and determined before any election.
- 9.5 An Executive Committee shall be constituted by the Board of Trustees to run the affairs of the Trust.
- 9.6 The Chairperson of the Board shall be the ex-officio Chairperson of the Executive Committee
- 9.7 The Board has an overriding responsibility of ensuring the above objects are met, the Temple and the Community Centre operates within this constitution, the property, income, expenses and activities are managed well for the beneficiaries of the Trust.
- 9.8 In the event of any Trustee dying/ resigning or being removed from office, another shall be appointed by a resolution of a majority of the General Committee members present and entitled to vote at a General Meeting provided:
- 9.8.1 He is a life member of the Trust.
- 9.8.2 He is over the age of 35 years.
- 9.8.3 Who is or was not a trustee of any other Charitable Institution which has the same object as the trust.
- 9.9 Every resolution appointing a trustee shall be entered on the minutes of the meeting at which he is appointed and a copy of the resolution signed by the Trustees shall be forwarded within 14 days by the Secretary of the trust to the Charity Commissioners.
- 9.10 The Trustees shall be governed under the Trust Law.
- 9.11 All the properties belonging to the trust shall be vested in the Trustees for the time being of the Trust for the use and benefit of the Trust and its members according to the rules of this Constitution.

- 9.12 No Trustees shall buy, sell or transfer the immovable property from/to the Trust and any trustee who would be attempting such selling or buying can be removed from his office without prejudice to any liability for prosecution for misuse/misappropriation of the trust funds.
- 9.13 The membership of appointed and honorary members can be revoked by the Board for a valid reason in a meeting with quorum and such a resolution shall require for its passage two-thirds (2/3) majority of members present.
- 9.14 The Board may co-opt up to two (2) members to the Board who possess exceptional qualifications and ability beneficial to the running of the Trust. However, these co-opted members shall have neither voting rights nor make any motions during their term of office.
- 9.15 Any elected or appointed member to the Board who absents himself / herself from two (2) consecutive meetings of the Board without prior notification to the Chairperson or Secretary of the reason(s) of his / her continued absence shall cease to be a Trustee. The Secretary shall maintain a record of the attendance of all members. Those trustees who fail to attend at least 60% of the meetings held during any calendar year shall have their Trustee status suspended for the remainder of their term.
- 9.16 Resignation: Any member desiring to resign from the Board of Trustees shall submit his / her resignation, in writing addressed to the Secretary to the Board. The Chairman on receipt of the communication shall convene a meeting of the Board or notify other Trustees of the situation and promptly relieve the member of all duties as appropriate.

### **ARTICLE 10: Executive Committee**

- 10.1 The office bearers of the Executive Committee shall consist of a Chairman, vice Chairman, Secretary, Treasurer, joint Secretary and Assistant Treasurer.
- 10.2 The Executive Committee shall execute the decisions made by the Board of Trustees and manage the affairs of the Trust and the community centre.
- 10.3 Any casual vacancies in the Executive Committee may be filled by a member of the Board of Trustees by an election process.
- 10.4 The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.
- 10.5 No person shall be entitled to act as a member of the Executive Committee whether on a first or on subsequent entry into the office until after signing in the minute book of the Executive Committee or a pro-forma prepared for the purpose and kept by the said Committee a declaration of acceptance and willingness to serve in the Trust.
- 10.6 The Chairman (article 9.6), the Vice Chairman, the Secretary, Joint Secretary, the Treasurer and the Assistant Treasurer of the Board are also ex-officio office bearers of the Executive Committee.

### **ARTICLE 11: Duties of Office Bearers**

All Officers of the Trust shall be Honorary Officers and no remuneration shall be paid to any person elected to the respective offices.

- 11.1 Qualifications of the Office Bearers of the Executive Committee:  
11.1.1 He must be a Hindu by faith.

- 11.1.2 He must be an ordinary or life member of the Trust and must have been as such for not less than two years at the time of the nomination/filing papers as Candidates for election.
- 11.1.3 He must not be a member of the Executive Committee or Trustees of any other Institution which has the same object as of the trust.
- 11.2 Chairperson: He shall have the general supervision of the affairs of the Trust and shall preside over all the meetings of the Executive Committee and the General Committee. He along with the secretary can call a meeting of the Committee at any time as deemed necessary and ensure that minutes of all meetings of the Committee are recorded correctly and duly documented for review by members. The Chairperson together with the Secretary and the Treasurer shall also execute all Deeds, Mortgages, Bonds and Contracts in the name of the Trust. He shall be impartial and allow every member to express and discuss their views at every meeting.
- 11.3 Vice-Chairperson: He shall assist the Chairman in his duties and during his absence shall act for him
- 11.4 Secretary:
- 11.4.1 Shall attend all gatherings.
- 11.4.2 Shall attend all the 'meetings of the Executive Committee and General Committee and maintain the minute books.
- 11.4.3 Shall attend to the day to day administration of the Trust and shall deal with all the correspondence in the name of the Trust.
- 11.4.4 Shall issue invitations on behalf the Trust and shall convene all the meetings of the Executive Committee and General Committee.
- 11.4.5 Shall give effect to the Resolutions passed in all meetings.
- 11.4.6 Shall have liaison with the Sub-Committees and call for progress reports from other Office Bearers/Members.
- 11.4.7 Shall have general supervision over the employees of the Trust and close liaison with the Chief Priest.
- 11.4.8 Shall prepare and submit the General Report for the presentation at the General meeting at the end of the term.
- 11.5 Joint-Secretary: The Joint-Secretary of the Committee shall assist the Secretary in the performance of his duties and shall act for him during his absence.
- 11.6 Treasurer: The Treasurer shall have custody and keep account of all money, funds and property of the Trust.
- 11.6.1 The Treasurer shall collect the dues, keep account of all the receipts and expenses and deposit all funds received in the name of the Trust in such financial institution(s) account(s) as may be designated by the Committee. The account(s) shall be joint in the names of the Treasurer, the Secretary and a Life-time founding Trustee of the Committee.
- 11.6.2 The Treasurer or a designee shall deposit all the money received in the accounts of the Trust no later than one (1) month of its receipt.
- 11.6.3 The Treasurer shall prepare a financial statement for all the receipt and expenses and present it to the Committee during the meetings. The Treasurer shall prepare and submit the annual financial statements to the Committee and to the members at its annual general meeting.
- 11.6.4 Shall get the accounts of the Trust audited by the auditor appointed by the Executive Committee of the Trust every three month by maintaining two Cash Books - main and Petty Cash Book.

- 11.6.5 Shall on demand hand over the accounts of the Trust to the Chairman/  
Secretary of the Trust for the inspection.
- 11.7 Assistant Treasurer: Shall assist the Treasurer in the performance of his duties and shall act for him during his absence.

### **ARTICLE 12: Determination of membership of The Board**

- 12.1 A member can be only elected on to the Board if he:
- 12.1.1 Has paid the full annual, five yearly or life membership subscription at least two years prior to the date of election or appointment and
- 12.1.2 Has the interest of advancing Hinduism, Tamil Language, Tamil culture and prosperity of the Tamil Community in Milton Keynes.
- 12.2 A member of the Board shall cease to hold office if he:
- 12.2.1 Is disqualified by virtue of section 45 of the Charities Act 1992 (or any statutory re-enactment or modification of that provision);
- 12.2.2 Becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- 12.2.3 Notifies to the Board a wish to resign.

### **ARTICLE 13: Meetings and Proceedings of the Board**

- 13.1 The Board shall hold at least three ordinary meetings each year. A special meeting may be called at any time by the Chairperson or by any two members of the Board upon not less than three (3) days notice being given to the other members of the Board of the matters to be discussed.
- 13.2 The Executing Committee shall meet as when necessary and shall be determined by the Chairperson.
- 13.3 If both Chairperson and vice Chairperson are absent at meetings, the members of the Board shall elect a pro tem Chairman from the members present.
- 13.4 There shall be a quorum when at least one third or seven (whichever is less) of the members of the Board are present.
- 13.5 Every matter shall be determined by a majority of votes of the members of the Board present and voting on the question but in a situation of equality of votes the Chairperson of the meeting shall have a second or casting vote.
- 13.6 The Board and the Executive Committee shall keep minutes, in a book or electronically kept for that specific purpose for any Board meetings or any committee meetings.
- 13.7 The Board may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of the documents. No rules may be made which is inconsistent with this constitution.
- 13.8 The Executive Committee may appoint one or more sub-committees consisting three or more members of the Board for purpose of making enquiry or supervising or performing any function or duty which in the opinion of the Board would be more conveniently undertaken or carried out by a sub-committee. All findings/report by the sub-committee shall be fully and promptly reported to the Board.

- 13.9 The membership of the appointed and Honorary Officers can be revoked by the Board in a meeting with quorum and such a resolution shall require for its passage a 2/3<sup>rd</sup> majority of the Board members present.

#### **ARTICLE 14: Accounts & Annual Report**

The Board shall comply with their obligation under the Charities Act 2006 or any statutory enactment of earlier or subsequent dates or modification of that Act with regard to:

- 14.1 Opening and maintain a bank account in a local bank or building society in the name of “Milton Keynes Murugan Temple Trust” with three Board members (the treasurer, the Secretary and a Life-time founding Trustee of the Committee) as the signatories and any two signatures are required at any one time for withdrawing funds from the bank.
- 14.2 All expenditures over fifty pounds must be authorised by the Board or the Executing Committee and be recorded in the minutes.
- 14.3 The keeping an up-to-date accounting records of the Trust.
- 14.4 The preparation of the annual statements of accounts for the Trust and the independent auditing of the statements of accounts of the Trust.
- 14.5 The transmission of the annual statements of accounts of the Trust and an annual report to the Charity Commissioners.

#### **ARTICLE 15: Annual General Meeting**

- 15.1 The Trust must hold a general meeting within twelve months of the date of the adoption of this constitution.
- 15.2 An Annual General Meeting must be held in each subsequent year and not more than fifteen months may elapse between successive Annual General Meetings.
- 15.3 Every Annual General Meeting shall be called by the Board. The Secretary shall give twenty one (21) day’s notice of the Annual general Meeting to all members of the Trust. All members of the Trust shall be entitled to attend and vote at the meeting.
- 15.4 All general meetings other than Annual General Meeting shall be called special general meeting.
- 15.5 The notice must specify the date, time and place of the meeting and the general nature of the business to be transacted.
- 15.6 The Board shall present to each Annual General Meeting the report and accounts of Trust for the preceding year.
- 15.7 At each Annual General Meeting elections for Honorary Trustees shall be held as necessary.
- 15.8 Nominations for the election of trustees must be made by members of the Trust in writing and must be in the hands of the Secretary of the Board at least fourteen (14) days before the Annual General Meeting. If nominations exceed vacancies, election shall be held by ballot.
- 15.9 At each Annual General Meeting the appointment of an independent Auditor to audit the financial Accounts shall be made.



## **ARTICLE 16: Special General Meeting**

The Board may call a special general meeting of the Trust at any time. If at least ten members request such a meeting in writing stating the business to be transacted the Secretary after consultation with the Chairman shall call such a meeting. At least 14 days notice must be given. The notice must state the business to be discussed.

## **ARTICLE 17: Notices**

- 17.1 Any notice required to be served on any member of the Trust shall be in writing and shall be served by the Secretary on any member either personally or by sending it through the post in a letter addressed to such member at his or her known address in the United Kingdom, and any letter sent shall be deemed to have been received within ten days of posting.
- 17.2 Where possible electronic mailing system may be used and this can be done with prior permission from the recipients.

## **ARTICLE 18: Amendment to the Constitution**

- 18.1 Subject to the following provision of this clause the constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at the General Meeting. The notice of the General Meeting must include notice of the resolution, setting out the terms of the alteration proposed.
- 18.2 No amendment may be made to Article 1 (the name –Milton Keynes Murugan Temple Trust), Article 4 (the Objects) and Article 19 (Dissolution) or this clause without the prior consent in writing from the Commissioners.
- 18.3 No amendments may be made which shall have the effect of making Trust cease to be a charity at law.
- 18.4 The Board should promptly send to the Commissioners a copy of any amendment made under this article.

## **ARTICLE 19: Dissolution**

- 19.1 If The Board decides that it is necessary or advisable to dissolve the Trust and its associated centres it shall call a general meeting of all its members, of which not less than 21 days notice stating the terms of the resolution to be proposed shall be given. If the proposal is confirmed by a two third majority of those present and voting the Board shall have the powers to realise any assets held by or on behalf of Trust. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of Trust as the members may decide at the same meeting. If there is no definite agreement is reached then the Board may by a majority decision apply the assets to some other charitable purpose. A copy of the statement of accounts or account and statement for the final accounting period of Trust must be sent to the Commissioners.
- 19.2 In no circumstances shall the net assets of the Trust be paid or distributed among the members.

**ARTICLE 20: Interpretation**

- 20.1 For the interpretation of this Constitution the Interpretation Act 1978, shall apply as it applies to the Interpretation of an Act of Parliament.
- 20.2 Words importing in singular shall include the plural and vice versa.
- 20.3 Words importing masculine shall include the feminine.

**ARTICLE 21: Adoption of this Constitution**

On signing and adopting this constitution and within one month, the Board of Trustees shall establish an ‘asset records register’ and take an inventory of the Trust’s assets /property. This records register shall be maintained on a regular basis and should be made available to anyone who is lawfully seeking the information.

This constitution was adopted on .....by the five persons on behalf of themselves and all the others whose signatures appears below:

- 1. Name:  
Address:  
  
Signature:
- 2. Name:  
Address:  
  
Signature:
- 3. Name:  
Address:  
  
Signature:
- 4. Name:  
Address:  
  
Signature
- 5. Name:  
Address:  
  
Signature:

## **APPENDIX I:**

**(This page is a continuing part of the constitution and shall be construed as such).**

### **Life-time First Priority Trustees:**

1. Dr Mylvaganam Veeravahu
2. Dr (Mrs) Ratneswary Veeravahu
3. Mr Ponniah Tevakumaran
4. Mrs Shelvarani Tevakumaran
5. Mr Krishnar Kamalanathan
6. Mrs Sivamani Kamalanathan
7. Mr Sinniah Satkunanathan
8. Mrs Pushpalatha Satkunanathan
9. Mrs Gowrimalar Sathiyaseelan
10. Mr Selliah Kobal Krishnasame
11. Mrs Ranjithamalar Kobal Krishnasame