

**THE CONSTITUTION OF THE
MALDIVIAN STUDENTS' ASSOCIATION (UK)
2004**

Chapter 1: Definitions

- Article I. Name: Maldivian Students' Association (UK) – MSA (UK).
- Article II. Location: The Association operates in the United Kingdom encompassing all Maldivian students in all Universities, Colleges and other institutes of education in the UK. However, the Association may conduct events in the Maldives and/or any other country if the need may arise.
- Article III. Registration: The Association is officially registered at the Ministry of Education in the Maldives and shall operate within the remit of the rules and regulations of running a student association by the Ministry and shall not contravene the laws of the United Kingdom.
- Article IV. Description: The Association is a democratic, cultural, social, non-profit, students' association that represents the Maldivian students in the United Kingdom.
- Article V. Full Members: Full members of the Association are those students who are enrolled in a full time or a part time programme of study in the UK who has to attend the institution of study. Students who are enrolled with an institution on a correspondence and non-attendance basis are not qualified to be full members (Refer Article XI).
- Article VI. Associate Members: Full members upon completion of their programme of study, the immediate family of full members residing in the UK and students who are enrolled with an institution on a correspondence and non-attendance basis constitute this category of members. Maldivian students undertaking full time education in any other country can become Associate members on request (Refer Article XII).
- Article VII. Honorary Members: Status awarded in recognition of support and assistance to the Association (Refer Article XIII).
- Article VIII. Central Committee: The annually elected administrative body of the Association (Refer Article XV).
- Article IX. Advisory Council: A body elected to advise on the proceedings of the Central Committee (Refer Article XVI).

Chapter 2: Objectives

Article X. The MSA (UK) aims and purposes to the following objectives:

- Section 10.01 To protect and defend the members of the Association and help enrich and enhance their academic and social interactions and achievements.
- Section 10.02 To establish a common forum of interaction among Maldivian students within the United Kingdom.
- Section 10.03 To establish cooperation between the Association and other cultural, student and youth organizations within and outside the United Kingdom.
- Section 10.04 To perpetuate and enhance closer ties between Maldivian students and academic institutions as well as the UK community.
- Section 10.05 To promote Democratic discipline in all procedures and meetings of the Association.

Chapter 3: Membership

Article XI. Full membership

- Section 11.01 There is no annual subscription fee for membership of the Association. However, a subscription fee may be imposed if so deemed by the members of the Association. Any such fees shall be fixed by a resolution at an Annual General Meeting.
- Section 11.02 All Maldivian students studying in the United Kingdom are members of the Association by default unless notified to the Association otherwise in writing. Members however, shall register with the Association online at <http://www.msa-uk.org> upon commencement of studies or as soon as they come to know about the Association.
- Section 11.03 Full membership will cease by submitting a written notice to that effect to the Chairperson of the Central Committee or upon a member ceasing to be a student in the United Kingdom.
- Section 11.04 Any member of the Association could be granted a fellowship of the Association for outstanding contribution to the Association after consultation with members and their consensus. The Central Committee could recognize contributions to the Association by handing out tokens of appreciation at their discretion.

Article XII. Associate membership

- Section 12.01 All full members upon ceasing their study in the United Kingdom become associate members of the Association by default unless notified to the Association otherwise in writing.
- Section 12.02 The immediate family of all full members is associate members of the Association by default unless notified to the Association otherwise in writing. There is no subscription fee for associate membership of the Association.
- Section 12.03 Associate membership is also open to all Maldivian students outside the United Kingdom. Students wishing to become associate members shall register with the Association online at <http://www.msa-uk.org>.
- Section 12.04 Associate membership can be terminated by submitting a written notice to that effect to the Chairperson of the Central Committee.

Article XIII. Honorary membership

- Section 13.01 Honorary membership of the Association could be granted to any person of outstanding contributions to the Association after consultation with members of the Association and their consensus.

Article XIV. Affiliations

- Section 14.01 Progressive groups such as other cultural, students', youth associations can form affiliations with the Association. Interest for affiliations with the Association shall be expressed by writing to the Association or requesting online through the Association's website at <http://www.msa-uk.org>. Affiliation will then be confirmed in correspondence by the Association.
- Section 14.02 The Association could approach other progressive groups for affiliation on the discretion of its members. The applications for such affiliations will follow the procedures prescribed by the respective group.
- Section 14.03 The Association has the right to terminate any such affiliations if the Association deems that an affiliated organization does not respect the Association's goals and/or constitution. In such an event the related organization will be advised of this action in writing.
- Section 14.04 In an event that an affiliated organisation wants to terminate their affiliation, they have a right to do so. These organisations shall inform the Association before the cease of affiliation takes to effect.
- Section 14.05 The Association shall not consider affiliations with organizations of political or fundamentalist religious interest. Applications for affiliation from such organizations shall also not be considered by the Association.

Chapter 4: Committees and Councils

Article XV. The Central Committee

- Section 15.01 The Committee would consist of five (5) members elected among the full members at the Annual General Meeting.
- Section 15.02 The members of the Committee shall be the Chairperson, Vice-chairperson, Secretary, Treasurer and Student Advisor.
- Section 15.03 The elected Central Committee shall be handed down all documents and items belonging to or relevant to the association by the outgoing committee as per the **Annex I**.
- Section 15.04 The term of office of the Central Committee members shall be till the following Annual General Meeting.
- Section 15.05 The Committee shall meet as and when required, its quorum consisting of a simple majority of its members.
- Section 15.06 The Chairperson could resign from the committee on his/her discretion. A notice shall be given to the Committee four (4) weeks prior to resignation and full members shall be notified of the decision by the Committee. An Extraordinary General Meeting shall be held to elect his or her successor. The Vice-chairperson shall take on the responsibilities till a successor is elected.
- Section 15.07 In the event where any other Committee member wishes to resign, a notice shall be given to the Chairperson four (4) weeks prior to resignation and full members shall be notified of the decision by the Committee. A by-election shall be held to appoint a successor within four (4) weeks of resignation.
- Section 15.08 A vote of no confidence may be moved by any member against any member of the Committee if he or she has sufficient grounds to believe that the member has acted in a manner contrary to this Constitution or incapable to perform the duties prescribed under this Constitution. The Vote may be passed at an Annual General Meeting or an Extraordinary General Meeting by a seventy five (75) majority of the members present.

Article XVI. Advisory Council

Section 16.01 The Council shall act as an advisory body to the Central Committee and shall act on behalf of the members of MSA (UK) where there is a need for a uniform policy throughout the Association. The Council shall endeavour to increase the flow of communication among the past and present Central Committees of the Association. The Council shall also endeavour to keep Central Committee members advised of issues and activities affecting the Central Committee.

Section 16.02 The Council shall be governed as per the Terms of Reference prescribed in the annexure of this Constitution. Refer **Annex II** for the Terms of Reference of the Council.

Article XVII. Sub-committees

Section 17.01 The Central committee is empowered to appoint sub-committees from the members to guide and administer the activities of the Association.

Section 17.02 Decisions reached by such Committees shall be subject to discussion among full members, if need be, and confirmation by the Central Committee before brought into effect.

Chapter 5: Meetings

Article XVIII. Annual General Meeting

Section 18.01 An Annual General Meeting of the Association shall be held each year.

Section 18.02 The Annual General Meeting shall be presided by the Chairperson of the Central Committee, except under the circumstances stated on Article XV Section 15.06.

Section 18.03 A report of the activities undertaken during the term of office shall be presented at the Annual General Meeting by the Central Committee.

Section 18.04 All financial transactions carried out during the term of office shall also be presented at the Annual General Meeting by the Central Committee.

Section 18.05 All full members and associate members shall be informed of the dates of the Annual General Meeting and an agenda for the meeting shall be forwarded with the notice.

Section 18.06 Participation at the Annual General Meeting is open to all full members and associated members of the Association. An affiliated organisation may be invited to participate in special circumstances.

Section 18.07 Full members and associate members shall notify the Central Committee of any motions they may deem to move at an Annual General Meeting upon receipt of notice of the meeting.

Article XIX. Extraordinary General Meeting

Section 19.01 At least one (1) Extraordinary General Meeting shall be held during the term of office of the Central Committee.

Section 19.02 An Extraordinary General Meeting shall be held at anytime if no fewer than twenty five (25) percent of the full members request the Central Committee of the effect.

Section 19.03 The Central Committee may propose to hold additional Extraordinary General Meetings at anytime if no fewer than twenty five (25) percent of the full members agree to the effect on request from the Central Committee.

Section 19.04 All full members and associate members shall be informed of the dates of the Extraordinary General Meeting and an agenda for the meeting shall be forwarded with the notice.

Section 19.05 Participation at the Extraordinary General Meeting is open to all full members and associated members of the Association. An affiliated organisation may be invited to participate in special circumstances.

Section 19.06 Full members and associate members shall notify the Central Committee of any motions they may deem to move at an Extraordinary General Meeting upon receipt of notice of the meeting.

Chapter 6: Appointment of the Central Committee

Article XX. Nominations

Section 20.01 A full member has the right to contest for nomination and election for a Central Committee post. Such members shall ensure that one full member nominates him/her for the post and another full member seconds the nomination.

Section 20.02 One full member shall not contest for more than one Central Committee post in a given year.

Section 20.03 Nominations for membership of the Committee shall be proposed and seconded by two full members of the Association. The same two members shall not propose and second another person for the same post.

Section 20.04 A full member of the Association who is under the age of sixteen (16) shall not be nominated for a Central Committee post.

Section 20.05 A full member could be nominated for more than one post of the Central Committee in a given year. Such nominations shall be proposed and seconded by two full members of the Association.

Section 20.06 A member of the Central Committee may be re-elected for the same post, or elected for a different post of the Central Committee on a second consecutive year. However, a full member shall not serve in the Central Committee for more than two (2) consecutive years irrespective of the post held.

Section 20.07 A nominee has the right to withdraw his/her nomination if he/she deems so.

Article XXI. Elections

Section 21.01 Elections for the five (5) posts of the Central Committee shall be held every year at the Annual General Meeting.

Section 21.02 The Central Committee shall appoint a Sub-committee in accordance with Article XVII Section 17.01 to conduct the election procedure at the Annual general Meeting. This Sub-committee shall be dissolved at the end of the Annual General Meeting once a new Central Committee is appointed. No member of the Central Committee shall be represented in this Sub-committee.

Section 21.03 The nominee who attains the simple majority of votes shall be appointed for the respective post.

Article XXII. Voting

Section 22.01 Voting rights are open to all full members of the Association who are eligible for nomination to a Central Committee post in accordance with Article XV Section 15.04.

Section 22.02 Voting for the Central Committee posts shall be conducted through a secret ballot under the supervision of the sub-committee elected for the purpose.

Section 22.03 Voting shall commence only after the nominations for all the Central Committee posts are completed.

Section 22.04 Voting shall be conducted in ascending order where the Chairperson is elected first, then the Vice-chairperson, the Secretary, the Treasure and the Student Advisor.

Section 22.05 In the event that a full member is nominated for more than one (1) post, the member shall be removed from the nominations list if he or she is appointed for a preceding post.

Section 22.06 In the event that a ballot ends in a tie, a second ballot shall be conducted in accordance with Section 17.02 of this Article. If the ballot ends in a tie for a second time, the member for the post shall be appointed by a toss in the presence of the nominees.

Chapter 7: Finance and Audit

Article XXIII. Finance

Section 23.01 The main financial source for the administration of the Association shall be the budget allocated for the Association by the Ministry of Education, Republic of Maldives.

Section 23.02 Additional financial resources may be raised by sponsorships and/or other fund raising activities organised by the Association.

Section 23.03 All revenue of the Association should be deposited in the Associations bank account.

Section 23.04 The Association shall keep a bank account on its name at any bank in the United Kingdom and/or in the Maldives or any other place where the Central Committee deems necessary or appropriate.

Section 23.05 All financial transactions shall be signed by the Treasurer and the Chairperson or his/her designate among the elected members of the Central Committee of the Association.

Section 23.06 The Central Committee shall be held responsible for all the financial transactions incurred during its term of office.

Section 23.07 The Central Committee shall produce a financial statement at the end of its term and present it at the Annual General Meeting in accordance with Article XVIII Section 18.04.

Section 23.08 The Central Committee shall justify any imbalances in the statement and shall be signed by the Chairperson and the Treasurer. These justifications shall be presented at the Annual General Meeting along with the financial statement.

Section 23.09 The Central Committee shall be held responsible to bare any unjustified imbalances in the statement during its term of office.

Article XXIV. Audit

Section 24.01 The Central Committee may appoint a Sub-committee in accordance with Article X11 Section 12.01 to assess the Association's transactions if so deemed by the full members of the Association. A member of the Central Committee shall not be represented in this Sub-committee.

Section 24.02 Full members shall notify the Central Committee of the motion in accordance with Article XIII Section 13.07. A resolution shall be passed at an Annual General Meeting or an Extraordinary General Meeting to the effect with at least seventy five (75) percent majority of the members present.

Chapter 8: Authorisations

Article XXV. All written communications from the Association shall bear the signature of a member of the Central Committee and the seal of the Association.

Article XXVI. The Association may communicate with its members and other affiliated organisation via electronic mail and/or discussion forums. Such communications shall be authorised by the Chairperson and shall bear the name and designation of a member of the Central Committee.

Chapter 9: Amendments to the Constitution

Article XXVII. Any amendments to this Constitution shall be made if it is deemed appropriate by the full members of the Association. Such amendments shall only be made at an Annual General Meeting or an Extraordinary General Meeting. Members may however, discuss any clauses that may require amendment through discussion forums or any other means.

Article XXVIII. Any motion to amend a clause of this Constitution shall be notified to the Central Committee in accordance with Article XIII Section 18.07

Chapter 10: Dissolution

Article XXIX. Motion of dissolution

Section 29.01 In the event that the full members of the Association deem that the Association be dissolved, a motion to the effect shall be notified to the Central Committee in accordance with Article XVIII Section 18.07.

Section 29.02 The Association shall be dissolved if a motion in accordance with Section 24.01 of this Article if more that seventy five (75) percent of the total full members vote in favour of the motion.

Article XXX. Settlement of funds and property

- Section 30.01 In the event that the Association is dissolved, all properties of the Association shall be auctioned and any funds generated by the auction shall be donated to a registered educational or charity in the Maldives in consultation with the Ministry of Education. If any property were not sold in the auction, it shall also be donated to a registered educational charity in the Maldives.
- Section 30.02 Any surplus funds at the dissolution of the Association shall be donated to a registered charity.
- Section 30.03 Any justifiable debts in accordance with Article XXIII Sections 23.08 and 23.09, at the dissolution shall be settled from the revenue generated by auctioning the property of the Association. If no revenue can be generated, the property shall be valued and those amounts incorporated in order to balance the accounts.
- Section 30.04 Any unjustifiable debts at the dissolution of the Association shall be bared by the Central Committee at the time of dissolution. The full members, associate members, honorary members or any affiliated organisation shall not have any responsibility for the debts.

Article XXXI. Effect of dissolution

- Section 31.01 All full members, associate members, honorary members and affiliated organisations shall be notified of the dissolution within one (1) month of passing the resolution of dissolution.
- Section 31.02 All auction collections as surplus funds and/or property shall be donated in accordance with Article XXV Section 25.01 and Section 25.02 before the dissolution comes to effect.
- Section 31.03 Any debts shall be settled in accordance with Article XXV 25.03 before the dissolution comes into effect.
- Section 31.04 The dissolution of the Association would come into effect once all the requirements under Section 26.01, Section 26.02 and Section 26.03 of this Article has been fully completed.

Annex I

The outgoing Central Committee must handover all articles and belongings to MSA(UK) to the elected Central Committee at the Annual General Meeting. These include:

1. The authority of the MSA-UK website (www.msa-uk.org) including Login and/or password necessary to gain access together with any information necessary to maintain the website.
2. The authority of the MSA-UK Form including login and/or password necessary to gain access together with any information necessary to maintain the forum.
3. The authority of the members MSA-UK Emailing list including login and/or password necessary to gain access together with any information to maintain the emailing list.
4. The authority of yahoo discussion groups among Central Committee members without deletion of any message archives.
5. The authority of all accounts held in UK and/or Maldives and all necessary documents necessary to enable transfer of authority.
6. Details of all correspondence made including all letters, fax, invoice and memos sent out.
7. List of inventory, including all items and equipment belonging to MSA-UK.

Annex II

TERMS OF REFERENCE OF MSA(UK) ADVISORY COUNCIL

Section I: NAME

The name of this council shall be the Advisory Council (hereafter in this document, the term "Council" shall refer to the MSA (UK) - Advisory Council and the term "HoC" shall refer to the Head of the Council, unless otherwise noted).

Section II: AUTHORITY AND PURPOSE

The Council shall act as an advisory body to the Central Committee of the Maldivian Students' Association (UK) (hereinafter referred "CC") and shall act on behalf of the members of the Maldivian Students' Association (UK) (hereinafter referred "Association") where there is a need for a uniform policy throughout the Association. The Council shall endeavour to increase the flow of communication among the past and present CCs of the Association. The Council shall also endeavour to keep CC members advised of issues and activities affecting them.

Section III: MEMBERSHIP

The Council shall consist of four members: 1 (one) non-voting, and 3 (three) voting members.

- A. The Non-Voting Member shall be the former Chairperson of MSA (UK) or any member from the previous Central Committee appointed by the Former Chairperson.
- B. Voting Members shall consist of mentors elected to serve as Council Members (hereinafter called "Mentors"). Three mentors, from among those nominated by the CC, shall be elected by the members of the Association during every alternate Annual General Meeting (AGM) of the Association.
 1. Qualifications for Mentors.
 - a. leaders and/or role models;
 - b. eminent or influential persons with special respect and skills that are valuable to the association;
 - c. someone who has assisted/served the Association in the past.
 2. Duties of Mentors.

The elected mentors should:

 - a. liase between former and present CCs in the interest of continuity in the projects/programmes the previous CC or the CC before them embarked on.
 - b. be available to provide advice, consultation, support and help, when needed.

- c. be able to advice and assist in seeking funds for the Association programmes and initiatives; and
- d. be able to advice the Association to co-ordinate it's activities.

3. Terms of Office.

The terms of office for Mentors shall begin with their election in the AGM of the Association. Terms shall be for 2 (two) years. If a Mentor is elected to the Council to serve out an un-expired term vacated by another Mentor, the individual may serve to the end of that original term.

4. Vacancies.

- a. If a vacancy in a Council seat should occur because the Mentor terminates/resigns from the Council, or is removed/expelled from the Council, that position shall be filled by next AGM or EGM of the Association.
- b. If the Former Chairperson or his substitute resigns from the Council, or is removed/expelled from the Council, another member from the former CC, preferably the Vice-Chairperson, should fill the position.

5. Removal/Expulsion from Office.

Any member of the Council can be removed from office by the ordinary members of the Association for non-performance of Council duties and/or breach of duties. A petition requesting such removal can be brought to the CC by a simple majority of the ordinary members of the Association. The Central Committee will investigate the matter on a case-by-case basis and will recommend action to the AGM or EGM. The ordinary members attending the AGM or EGM will make the final decision by secret ballot. A simple majority of those present and voting at a regular meeting will carry the vote. Possible causes of expulsion shall include, but not be limited to: abuse of the powers of the Council, real or implied, to further personal causes; unavailability for consultation/advice.

Article XXXII.

Section IV. NOMINATIONS AND ELECTIONS

C. Election Committee.

The nominations and elections process shall be co-ordinated each term by the CC of the Association, and the MSA Chairperson will lead the process. The nomination and election process shall be announced through email and on the Association web site.

D. Nominations Procedures.

- a. A method to put forward the nomination shall be made available to each member of the association. This could be achieved in a most convenient way to CC (post or via MSA website). The call for proposals for nomination shall identify the number of nominations allowed, and instructions for the return of the form (manner, date, time, place).
- b. The CC will work with past and present members of the Association to shortlist possible mentors. These lists will be used to determine the mentors that are eligible to be balloted in the election.
- c. All members registered with Association by the date of elections shall be eligible to vote.
- d. All names of proposed mentors shall be kept confidential until nominated.
- e. After the closing date of nominations, the Central Committee shall check the eligibility of the nominee.
- f. The number of nominees to appear on the election ballot shall not exceed five.
- g. The Central Committee shall notify the nominees that their names will be placed on the election ballots unless they withdraw by a specified date.
- h. A final list of the nominees shall be made public at least one week prior to Election Day.

E. Elections Procedures.

- a. Ballots will be prepared by the CC indicating the names of the nominees in alphabetical order, the number to be elected, and instructions for voting.
- b. Ballots will be distributed to each member eligible to vote.
- c. Elections shall be by secret ballot.
- d. At the close of the election, the CC will count the ballots.
- e. Those elected shall be declared on the basis of the highest number of votes received.
- f. The CC shall notify the newly elected mentors and shall make the results of the elections known to all the members within one week of the election through MSA website.
- g. The term of office of new mentors shall begin with the election of the mentor.
- h. If a mentor is unable to complete her/his term, the recipient of the next highest votes shall complete the term. This process shall continue until there are no eligible candidates to complete the term. In the event there are no eligible candidates, a new election shall be held to complete the term.

Section V. TITLES OF OFFICERS

The officers of the Council shall be HoC, Mentors and Former President.

A. Nomination and Selection of Officers

The HoC shall be appointed from the three elected mentors. No formal voting is necessary.

Section VI. DUTIES

A. Head of the Council

The duties of the Head shall be

- a. to preside at all meetings of the Council;
- b. to represent the Council on any occasion deemed necessary;
- c. to serve as liaison to the MSA Chairperson, keeping the MSA Chairperson informed regarding concerns of the Council;
- d. and all other duties stated for a mentor.

B. Mentors

For the duties of mentors, see the Section III, Part A, Clause 2.

C. Former Chairperson

In the interest of continuity in the Council's work, following the Chairperson's term of office, the Chairperson shall become Former Chairperson for one year to act in an advisory capacity to the Council. In the event the current chairperson is re-elected to a second term the Former Chairperson will resume his/her duties as a non-voting member of the council.

Section VII. AMENDMENTS TO THE RULES

Amendments to these rules may be proposed at any time by any member of the Association or by any member of the Council. Proposals shall be submitted in writing to the Chairperson of the Association. Within a fortnight of receipt of the proposal for the modification of the rules, the Central Committee will refer the proposals to all the members of the Association via email and request an open discussion. Proposed amendments and the members' feedback shall be reported at its next regular meeting (AGM or EGM). A decision to consider and adopt such change will be made by a simple majority vote of members present.