

**THE CONSTITUTION  
BANGLADESH ASSOCIATION OF  
NEW ENGLAND.**

(INTEGRATION WITH THE AMENDMENTS/RESOLUTIONS  
ADOPTED ON 24 JUNE 2023).

**UPDATED: JULY 2023.**

**31st July 2023**

**Memorandum**

**To: General Members, BANE**

**From: Constitution update committee, BANE (2023)**

1. Salim Chowdhury
2. Dr. Tanvir Amit
3. ZiaUl Hasan
4. Hasan Mahmud
5. Engineer Adnan Mahmud

**Dear honorable members,**

The constitution update committee is pleased to present to you the final version of the constitution of Bangladesh Association of New England- BANE with the integration of the resolution and amendments passed by the General members in the General meeting of June 24, 2023. It has become effective immediately from June 24, 2023 as per ARTICLE XV, Section 3 of the Constitution.

It is always an immense pleasure to work with our rising community members. We do sincerely hope that this diminutive works on the elements of the Constitution could help innervating some spirits into the minds of our BANE families in developing and establishing stronger personal/community relationships; also in engendering some momentums and directions toward the positive transformations of our proud institution BANE and its activities in coming years.

[Note: An "**Official Copy**" is the Signed hard copy in original and/or a "**Verified True Copy**" and/or verifiable copy produced from the original signed hard copy ONLY. Electronic copies are for the general information only and may NOT be used as official copies. An official hard copy may be collected from the Election Commissioner, BANE President and General Secretary upon request.]

Thank you.

Respectfully,

//Signed// *Salim Chowdhury*

On behalf of the Constitution Update Committee

Cc: Election Commissioner  
President (BANE)  
General Secretary (BANE)  
General Members (Via BANE website only)  
Members, Constitution Update Committee

## **Preamble of the Constitution**

### **The Bangladesh Association of New England (BANE), USA.**

The Bangladesh Association of New England was formed on the 7th of March 1971, in Cambridge, Massachusetts, USA in response to the call for the independence Movement of Bangladesh. The Association, first of its kind in North America, played its historic role in the liberation movement of Bangladesh and then continued its visionary and adventurous journey as a powerful forum in promoting the cultural and social life of the Bangladeshi community residing in New England. The Association, since its inception, was run by an unwritten Constitution under the tutelage of its general members until they voted for a written Constitution in its General Meeting held in August 1981. The first Constitution of the Bangladesh Association of New England, USA was then approved by the members of the Association in its General meeting held on this day, 25 July 1982. The subsequent amendments of the Constitution were adopted on 31 August 1991.

The present format of the Constitution reflects the integration of the resolutions and amendments (with the original Constitution) those were adopted in general meeting on 16 October 1994, 04 December 1994 and were formally passed by the general membership during the annual picnic on 20 August 1995 (updated by the earlier Constitution Committee on 02 November 1995); as well as resolutions and amendments adopted and passed in the general meetings on 09 September 2007, 22 November 2008 and amendments adopted on 24 June 2023 (Updated by the current Constitution Update Committee) to circumvent any organizational crisis of the Association.

#### **Chronology of the Association;**

- Established: 07 March 1971
- Constitution Adopted: 25 July 1982
- First Amendment: 31 August 1991
- Second Amendment: 20 August 1995
- Third Amendment: 09 September 2007
- Fourth Amendment: 22 November 2008
- Fifth Amendment: 24 June 2023

**By-Laws of the Bangladesh Association of New England, Inc. a non- profit organization under the Massachusetts Non-Profit Corporation Act.**

**ARTICLE I: NAME**

**Section 1:** The name of the association shall be "The Bangladesh Association of New England, Inc.", henceforth referred to as the "Association".

**ARTICLE II: OBJECTIVES**

**Section 1:** The Association shall be a non-profit, non-political and secular organization.

**Section 2:** The objectives of the Association shall be to:

- a) Promote understanding and appreciation of cultures of Bangladesh among all persons regardless of color, creed, race, religion and national origin.
- b) Promote goodwill, friendship and co-operation among the members, people of Bangladesh and the United States of America.
- c) Promote cultural exchange with any other group or organization or institution interested in Bangladesh.
- d) Facilitate and encourage the activities of any other organization or group of Bangladeshi, provided that such groups or organizations are also non-profit, non-political and secular organizations duly organized under any State law without direct involvement of the Association.

**ARTICLE III: MEMBERSHIP**

**Section 1:** The membership in the Association is open to all individuals sharing the objectives and purposes of the Association.

**Section 2:** Classes of the members.

- a) **Life Member:** The Association can award the honor of Life Membership to a person of any nationality who has: i) made significant contribution to the cause of Bangladesh or to the Association. Decision of awarding such membership is to be taken in a meeting of the Executive Committee of the Association.
- b) **General Member:** Any qualifying person as per Article IV, Section 1 (a) and (b) who pays off \$15.00 (Fifteen dollars) or a family (husband & wife) those pay off \$25.00 (Twenty Five dollars) membership fee per term by the due date as prescribed in Article IV, Section 5.

- c) **Student Member;** who shall be any full-time student of any institution paying the dues of \$5.00 per term.
- d) **Honorary/Associate member,** which membership shall be awarded to outstanding and eminent person/persons of the community upon action by the Executive Committee and such membership shall extend for a period of one term from the date of award.

**Section 3: Membership Application:** All applications for memberships must be submitted to the executive committee in membership forms with appropriate membership fees.

**Section 4: Transfer of Membership:** The membership shall not be transferable or assignable.

**Section 5: Proof of Membership:** Confirmation of payment of membership dues will constitute as the proof of membership.

**Section 6: Membership Period:** 01 January of the 1st year to 31 December of the 2nd year of each term.

## **ARTICLE IV: Membership Fee, Rights and Privileges.**

### **Section 1:**

- a) Age: 18 (Eighteen) years or above.
- b) Citizen of Bangladesh, an immigrant or a naturalized citizen of the USA of Bangladeshi origin by birth or by marriage and his/her children of age 18 years or older **AND** a resident of New England.
- c) Any person, irrespective of nationality, interested in the objectives of the Association, may be an Associate member of the Association on recommendation and seconded by members of the Association. An Associate member shall not have the voting rights on any affair of the Association.
- d) One member can not recommend more than Five (5 persons per year). Honorary/Associate members shall not have the voting rights as general members would have.

**Section 2: Membership Dues:** The Executive Committee may review the membership dues from time to time and may place before the general body for the increase or the decrease of such dues. Final approval of such increase or decrease of dues shall be determined by the simple majority of the currently registered general members present in the general meeting.

**Section 3: Proration of Dues:** There shall not be any proration of membership Dues.

**Section 4: Supplementary Fee:** Executive Committee may levy any additional fees that become necessary to supplement their expenses.

**Section 5:** The Annual Membership fee (dues) of the Association shall be payable and delivered to the Treasurer by **15 September** (Postmarked no later than **10 September**, in case of mailing) of the election year. Failing to pay membership dues by any member by this deadline shall automatically deprive him/her of all privileges given in Article IV, Section 6 as a member of the Association.

**Section 6:** Each member who is in conformity with Article III, Section 1 (a) or (b) or (c) AND of Article IV, Section 1 (a), (b) and Section 5 shall be eligible to vote on all the affairs of the Association.

## **ARTICLE V: MANAGEMENT OF THE ASSOCIATION.**

### **Section 1:**

- a)** A general body composed of all the current members of the Association.
- b)** An Executive Committee duly elected by the members of the Association for a term of 2 (Two) consecutive calendar years starting from 01 January of the 1st year to the 31 December of the following year.
- c)** The term of office of two members in the executive committee (President and General Secretary) shall be limited to any 2 (two) terms only. Other positions will have no term limit.

**Section 2: Executive Committee:** Shall consist of 15 (Fifteen) positions:

- I)** President
- II)** Vice President
- III)** General Secretary
- IV)** Assistant General Secretary
- V)** Treasurer
- VI)** Cultural Secretary
- VII)** Athletic/Sports Secretary
- VIII)** Social Welfare Secretary
- IX)** Education Secretary
- X)** Literary, Media and Publicity Secretary
- XI)** Assistant Treasurer
- XII)** Assistant Cultural Secretary
- XIII)** Organizing and Office Secretary
- XIV-XV)** Executive Members (Two positions)

The activities of the Association shall be managed by the Executive Committee consisting of 15 (Fifteen) members each with a designated responsibility. The Executive Committee shall present definitive activities of agenda/budget to the general membership. If the Executive Committee decides to undertake a major project (e.g. Bangladesh Conference) a general meeting must be held and the project shall get approval from two thirds of the current members present at that meeting.

- a) President:** Who shall preside over all meetings of the members and of the Executive Committee and shall have overall responsibility for the activities of the Association. (A general restriction to hold this position for the person elected defined as follows: He or she may not hold a current position as chief, chairman or president of any kind of political/religious organization. Holding any other position, other than those described above is acceptable under the Articles of the Association).
- b) Vice President:** Shall assist all of the duties granted to the President.
- c) General Secretary:** Shall record all proceedings of the Executive Committee's meetings and also of all membership meetings; and shall mail all notices required by this by-laws, maintain current records of membership of the Association and shall exercise such power as are provided by these by-laws and by the Executive Committee. He/She shall assist the President in executing the Presidential duties.
- d) Assistant General Secretary:** Shall assist the General Secretary as and when sought and in absence of General Secretary, shall record all proceedings of the Executive Committee's meetings and also of all membership meetings, and also shall mail all notices required by this by-laws, maintain current records of membership of the Association, and shall exercise such power as are provided by these by-laws and by the Executive Committee. He/She shall assist the President in executing the President's duties.
- e) Treasurer:** Shall be responsible for all the financial activities of the Association including annual budgeting, fund raising, membership drive and fee collection and record keeping. He/She shall assist the president in executing the president's duties.
- f) Cultural Secretary:** He/She shall organize, co-ordinate and conduct all cultural functions/events of the Association.
- g) Athletic/Sports Secretary:** He/She shall organize, schedule and promote all indoor, outdoor and seasonal sports and other recreational/physical activities.
- h) Social Welfare Secretary:** He/She shall pursue and coordinate cross-community leaderships of various Community Organizations and oversee all social welfare/philanthropic activities of the Association. Provide information on jobs, Government benefits; assist in filing taxes, Passport/Visa issuances/renewals etc.

- i) **Education Secretary:** He/She shall work on running and managing BANE's "Bangla School", conducting computer literacy programs/Seminars/classes, helping community members for the preparation of citizenship examinations, in filling up and filing citizenship applications and petitions etc.
- j) **Literary, Media and Publicity Secretary:** He/She shall be responsible, and organize, co-ordinate all publicity and media related activities of the Association. He/She shall be responsible for the publication of the PRABHO, the Newsletter of the Association, also an updated membership Directory. He/She shall be responsible for all aspects of publication including editing & selecting the content of such publications.
- k) **Assistant Treasurer:** He/She will support the treasurer in all the work. He/she will find more opportunities to raise funds for BANE. In the absence of treasurer he/she will work as treasurer.
- l) **Assistant Cultural Secretary:** He/She will support the cultural secretary to organize cultural programs. He/she can help in collaboration between performers, artists, and other secretaries to present an organized cultural program. In the absence of a cultural secretary he/she will work as cultural secretary.
- m) **Organizing and Office Secretary:** He/she will take care of all the BANE property (Sports instruments, educational instruments, cultural instruments, tent, banner, musical instruments, stage instruments). On all the programs he/she will work closely with all the committee members to support program arrangements.
- n) **Members of the Executive Committee (Two positions):** Whenever necessary the President and the Executive committee will hand assignments to the Executive Members.
- o) For discharging the duties and performing functions, each Secretary may be assisted by a committee made by three to five (3-5) members selected from among the current members of the Association and duly approved by the Executive Committee.

**Section 3: Responsibility:** Each office bearer of the Association shall individually and/or collectively be responsible and accountable to the General body of the Association for his/her/their activities and as such of the whole Association.

**Section 4: Election and appointment of the office bearers(s):** Election by membership. The general members of the Association shall elect its office bearer(s) as per provisions mandated in this Constitution.

**Section 5: Term of office:** Each bearer shall be elected to a term of 2 (Two) consecutive calendar years.

## **Section 6: Removal of office Bearer**

- a)** A delinquent office bearer of the executive Committee may be removed from his/her position upon affirmative vote of three fourth of the Executive Committee for the following ground;
  - i)** That an office bearer who has failed to attend three consecutive meetings of the executive committee; except for any critical/serious medical ground or for any critical/ unforeseen family circumstances.
  - ii)** That an office bearer who has visibly been found consistently working against the mission of the Association.
  - iii)** An office bearer, who has been served the notice of removal by the executive committee, shall have the right to appeal the executive committee's decision in a special meeting of the general members.

### **b) Removal by the General members**

The general body of the current members of the Association may remove an office bearer from the Executive Committee at any special meeting provided;

- i)** Request to hold a special meeting to affect the removal of any office bearers was signed by Twenty Five percent (25%) of the currently registered members of the general body.
- ii)** Quorum of such special meetings shall consist of at least 51% of the currently registered total general members.
- iii)** At least 75% majority votes of those registered general members present would result in the removal of the office bearer conducted in that special meeting.
- iv)** The decision of the general meeting shall be the final.

**Section 7: Vacancy:** An office bearer's position shall be considered vacant under the following situations:

- a)** Death of the person holding the office.
- b)** Resignation: Provided that such resignation has been accepted and approved by the full quorum of the Executive Committee.
- c)** Refusal to serve in the position elected and/or selected for.
- d)** Removal as per Article V, section 6.
- e)** Failure to maintain membership of the Association.

**Section 8:** Filling up the vacancy and dissolution of the executive Committee.

- a) The Executive Committee shall nominate/select candidates from its currently registered general members to fill up the vacancy. But if more than 50% of the existing members resign, the Election Commissioner shall be required to hold an extra Ordinary general meeting of the Association so that the executive committee's vacant positions can be filled up in that general meeting. In the event of a major crisis situation which has physically rendered the committee ineffective and incapable of operating, the Election Commissioner with the assistance of the election commission members shall assume the day to day administrative responsibilities of the Association until a new Executive Committee is elected to take charge of the Association.
- b) In case the vacancy occurs in the position of the President, the Vice President of the Association shall be elevated to the position of the President of the Association.
- c) In case of the Vice President's unwillingness or refusal to accept the position as the President of the Association, the executive committee shall select the new President from the existing elected members of the executive committee upon the affirmative vote of 2/3 majority in the executive committee. The incumbent member shall have the right to vote in this process.

**Section 9: Quorum:** The simple majority or 8 members of the executive committee shall constitute a quorum. Any action taken during such meeting by 2/3 majority vote of the executive members shall constitute official actions by the executive Committee.

**Section 10:** Meeting of the Executive Committee

- a) **Regular Meeting:** The executive committee shall hold at least 3 regular meetings each fiscal year and that the notices of the meetings must be given to all the executive office bearers by the General Secretary with the approval of the President one week prior to the meeting date. Such meetings may not have any agenda.
- b) **Special Meeting:** A special meeting may be called by the President, or in his absence by the Vice President or in his absence by the General Secretary or by any 2 (two) members of the executive committee by notice given to all members of the Executive Committee two days prior to such meetings. The notices shall state the purposes of the meetings notifying of day, time and place.

**Section 11: Signing Contract:** The President and the General Secretary shall jointly sign all contractual documents on behalf of the Association. Only in absence of any of them above, the Vice President and/or the Treasurer may jointly sign the contractual documents on behalf of the Association.

**Section 12: Transfer of Records:** The outgoing Executive Committee shall bring all records of the Association to the Annual General meeting of the Association. All records, assets, cash, bank account of the Association and every all other charges shall be transferred to the custody of the newly elected executive committee by the 10th of January, following the election year.

**Section 13: Official Address:** Until a permanent address is established, the Association shall use a rented Post Office Box at USPS in the Metropolitan Boston area as the official address of the Association.

## **ARTICLE VI: GENERAL MEMBERSHIP MEETINGS**

**Section 1: Annual Meeting:** The annual meeting of the general membership shall be held as follows;

- a) **Place:** The annual meeting shall be held in a place convenient to all members of the Association.
- b) **Time:** The annual general meeting shall be held during the month of July-August each year of the term.

**Section 2: Special-Extraordinary General Meeting:** Special-Extraordinary general meeting may be called at anytime by the President of the Association or by the majority of the members of the executive Committee or by a submitting a written petition to the General Secretary signed by at least ten percent (10%) of the total currently registered general members. Special meeting must be called within 3 (Three) weeks upon receipt of such request provided that such written petition to the General Secretary clearly states the specific purpose(s) for holding such extraordinary general meeting. No general meeting may be called unless the specific purpose(s) of such meeting is/are communicated in the petition to the General Secretary for holding that general meeting. The Election Commissioner shall organize/Chair the Special/Extraordinary meeting to resolve organizational crisis if required.

**Section 3: Notice of Meeting:** Notices of annual and/or special meetings shall be mailed by no less than 2 (two) weeks prior to the scheduled meetings. Notices of special meetings shall contain a statement of purpose (s). Notices shall be deemed to be delivered when deposited in the United States Postal Service (USPS) addressed to all currently registered members at their addresses as they appear on the current membership registration roster of the Association, with postage thereon prepaid.

**Section 4: Quorum:** For the purpose of transacting/processing any business/resolution in any general meeting and/or extraordinary special meeting: Provision(s) stated in Section 6 of Article V of this Constitution shall be enforced.

**Section 5: Voting:** Voting of any-question except as otherwise provided by these by-laws may be by voice vote or raising hand unless the presiding officer shall order or majority members shall demand that voting be executed by written ballot.

**Section 6: Who shall preside:-** The President of the Association or in his/her absence the Vice President or in his/her absence a member of the executive committee nominated by the President or by the Vice President shall preside at all meetings. Currently registered members present during these meetings may also nominate any individual from among the current members.

**Section 7: Keeping Minutes:** General Secretary or in his absence Assistant General Secretary or in his absence a member from the executive committee nominated by the General Secretary shall keep the proceedings of these meetings in writing in the minute book of the Association.

**Section 8: Conduct:** To the extent applicable, any gross misconduct, violent behavior, hostility or use of obscene language by any member shall be sufficient cause for his/her physical removal from the audience/event by the local Law Enforcement Authority and/or as per law of the Commonwealth.

## **ARTICLE VII: FUNCTIONS OF THE EXECUTIVE COMMITTEE**

The Executive Committee is the chief policy making body of the Association. It shall:

- a)** Approve the Annual Budget of the Association.
- b)** Approve the annual program and expenses proposed by the Secretaries for their respective Committees.
- c)** Approve the list of members proposed by the Secretaries for their respective committees.
- d)** Decide the necessities of and thereby convene the meetings of the General body of the Association.
- e)** Control the expenditures of the Association in the following manner;
  - i)** It shall approve the expenditures of all the committee
  - ii)** Each Secretary must inform the Executive Committee of any expected budget variances exceeding 20% of the original budgeted amount.
  - iii)** Executive Committee approval shall be required if the expenditures exceed 20% of the original budgeted amount.
  - iv)** If the expenditure is expected to exceed 25% of the budgeted amount, the approval of the general body is required.
- f)** Accept the resignation(s) of member(s) of the Executive Committee.
- g)** Appoint an Election Commissioner and 2 (Two) Assistant Election Commissioners as per Article X, Section 1a (i) and (b) to conduct the General Election of the Association.

## **ARTICLE VIII: MEETINGS OF THE EXECUTIVE COMMITTEE.**

- a)** It shall hold its first meeting within 30(Thirty) days from the date of its inauguration.
- b)** The Executive Committee shall meet at least once within one hundred (100) days from the date of its last meeting.
- c)** Any member of the Executive Committee can request that the President/General Secretary convene a meeting of the Executive Committee.
- d)** 25% (Twenty Five percent) of the total executive members can call a requisition meeting.
- e)** The presence of 2/3 of the total members of the Committee shall form a quorum.
- f)** All the members of the Executive Committee must be given at least 7 (Seven) days notice of any executive committee meeting along with the agenda/purpose of the meeting.
- g)** Attendance at the meetings of the Executive Committee is mandatory. The Committee may/replace a member of the Executive Committee who has been absent or been unable to attend 3 (Three) consecutive meetings without prior notice or valid reason.

## **ARTICLE IX: FINANCE AND BUDGET**

**Section 1: Treasury Secretary:** In consultation with the Budget and Finance Committee, the treasury secretary shall prepare a budget for each fiscal period and is subject to the approval of the Executive Committee.

**Section 2:** All purchases and expenditures shall be approved by the Treasury Secretary pursuant to the budget.

**Section 3: Capital Expenditure:** Approval of the general member body shall be required for the capital expenditures each exceeding \$5000.00 (Five thousand dollars).

**Section 4:** Association shall establish and maintain two separate Bank Accounts under the name of (1) Bangladesh Association of NE for performing all transactions like general revenue account, and (2) Bangladesh Association of NE, Capital expenditure account.

**Section 5: Maintenance of Books of Accounts:** All financial activities of the Association shall be maintained under 2 (Two) major head of accounts.

- a) General Revenue Account:** All income and expenditure except those of capital item expenses shall be recorded under General Revenue Account. No deficit financing shall be allowed to carry forward for the next or incoming committee of the Association at the end of any term. If there is any negative or deficit balance in the General Revenue Account of the Association, that deficit/negative balance shall be the ultimate burdens of the outgoing members of the Association. The outgoing executive committee shall offset the deficit dollar amount in the Books of Accounts of the Association. However, in the case of surplus

or positive funds/balance in the General Revenue Account, such entire funds shall be transferred to the existing Capital Account of the Association.

- b) Capital Expenditure Account:** Capital Account of the Association shall be the accounts of those categories such as "Bangla School" Projects, Scholarship funds; Association's building purchase fund, contribution and donation money designated for any particular project, any charitable project or projects of any such nature for which the benefits shall continue after any specific term. At the end of each term, the entire balances of the Capital Account shall be handed over or transferred to the incoming executive Committee of the Association.

## **ARTICLE X: ELECTION**

### **Section 1:**

**a) Conducting the General Election of the Association;**

- i)** The Executive Committee shall appoint an Election Commissioner and 2 (Two) Assistant Election Commissioners to form a "3 (Three)-Member Election Commission" from among the general members; but no one from the current Executive Committee is eligible for any of these positions. The appointments shall be made by 31st March of the first year of each term and shall hold these positions until the next Election Commission is formed by the subsequent Executive Committee.
- ii)** The Election Commission shall appoint as many "Polling Assistants" as needed to assist in conducting the election at least 30 (Thirty) days before the scheduled Election date from other than the members of the Executive Committee. The election commission shall demonstrate and utilize its wise and realistic field observation in choosing the numbers of these polling assistants.
- iii)** The Election commission shall try its best to discharge its duties in accordance with the provisions as mandated in the BANE Constitution by showing the highest level of ethical standard, transparency and non-partisanship.
- iv)** The Election Commission shall receive, accept or declare void the nomination paper/papers and shall declare the results of the election.
- v)** The general election will be held on or before the 2nd Saturday of 2nd November of each term. If any unusual circumstance cancels out this date, the election will then be held within 2 (Two) weeks of this date.
- vi)** In case of objection, the decision of the Election Commission shall be final.

**b)** The "Election Commission" members must be registered members of the Association for the prior as well as the current terms during their appointment as the Election Commissioner and Assistant Election Commissioners.

**c)** 5 (Five) weeks public notice shall be required to be given for conducting the Election.

**d)** Election Commission shall address the issues and concerns of the candidates through the candidates authorized representatives only. Each panel, regardless of complete, partial or individual, shall submit the names of their/his/her representative to the Election Commission in writing prior to communicating the Election Commission. 1 (One) representative per panel shall be allowed.

**e)** In any event, if a member or members of the election commission resign, the Executive Committee shall then fill this/these position(s) up within 7 (Seven) days ensuring the general election as per Constitution Article X, Section 1a(v). If the executive committee fails to appoint an Election Commission within 7 (Seven) days, the Executive Committee shall then call a Special Extra-ordinary general meeting within 10 days for this purpose.

**Section 2: Nominee's Duties:** In order for his/her to be placed on the general election's official ballot, each nominee for any position must;

**a)** Express his/her acceptance by signing the nomination paper.

**b)** Be familiar with the articles of incorporation, by-laws of the Association and pledge to abide by them.

**c)** Pledge to carry out the wishes of the general body and decisions of the Executive Committee to the best of his/her abilities.

**d)** Must meet the provisions in the Article IV, Section 6 **AND** Article X, Section 2 (a), (b), (c), (d) and (e).

**e) Nomination Fee:** Each nominee must submit his/her nomination paper along with a non-refundable nomination fee. The nomination fee for the position of the President will be \$750.00, for the Vice President will be \$500.00, for the General Secretary will be \$500.00, for Assistant General Secretary will be \$400.00, \$250.00 for all other positions (excluding executive members) and \$150.00 for executive member candidates. The nomination fee is payable to "Bangladesh Association of New England" by cashier's check or money order only.

### **Section 3: ELECTION PROCEDURES.**

- a) Nomination shall close by Midnight on 21 October (Twenty first October) of the election year.
- b) A list of final nominations shall be made public on or before 28 October (Twenty eight October) of the election year.
- c) A candidate may officially withdraw his/her nomination by submitting a signed petition to the election commission at least 7 (Seven) days before the election date.
- d) The election commission shall obtain a final list of eligible voters from the General Secretary by 7 October (October Seven) of the election year and shall make this list available to the general members immediately upon request.
- e) The Election Commission shall set up polling booths at a location in the designated election site on the election day, shall maintain and keep the said booth open for a reasonable time so that all registered voters could have an opportunity to cast their ballots.
- f) Votes shall be cast in person by the eligible members by secret ballots, provided however that a member who shall be out of town or shall provide reasonable ground to the satisfaction of the election commission, may request a ballot in advance of the election day and that the said ballot must be executed in person and be delivered immediately to the election commission for safe custody until the election day where the said ballot shall be opened for counting along with other ballots.
- g) Counting of ballots and declaration of winners shall be carried out by the election commission immediately after closing of the polls.
- h) The Election Commission, before allowing any ballot to be cast, shall require the voter's identification checked and shall secure a signature on the official voter list.

**Section 4: Conducting Election:** Election commission may formulate its own rules for conducting the election as to canvassing in the vicinity of the polling place.

**Section 5: The Position:** In case of a tie occurring in any position, Election Commission shall devise a procedure on drawing of lottery.

**Section 6: Voting Irregularities:** Written complaints of election irregularities, violations of the election rules and procedures herein set out, along with supporting documentary evidence, which shall include names, places and appropriate signatures shall be filed with the election commission within 24 hours after the election. The commission shall handle the complaints in accordance with the procedures mentioned above and shall rule on the said complaints within 7 (Seven) days after the election.

**Section 7: Power of the Election Commission:** The decision of the election commission shall be final in all matters concerning elections.

**Section 8: Unfilled Positions:** If a position remains unfilled in the election, the holder of the said position in the current executive committee shall remain in the same position to constitute the Executive Committee and shall be deemed as elected for the position for next term. If the person is unable or unwilling to continue, then the newly elected Executive Committee shall co-opt for the position.

## **ARTICLE XI: BOOKS, RECORDS AND AUDIT**

**Section 1: Books and Records:** The records of the Association shall consist of its Articles of Incorporation, by-laws and amendments there to, minutes of all meetings of the members and Executive Committee, register of members, financial documents, inventories and such other records as shall be designated from time to time by the Executive Committee.

**Section 2:** After the closing of every fiscal year an auditor appointed by the Executive Committee shall audit the account books. A financial report shall be mailed by the Treasurer to the members within 45 (Forty Five) days of audit.

**Section 3:** The record of the Association shall be in English and shall remain in custody of designated officers.

**Section 4:** All records of the Association shall be open to all office bearers; and (by advanced approval of at least one office bearer), to any member subject to appointment of reasonable time and place of examination.

## **ARTICLE XII: FISCAL YEAR**

**Section 1:** The fiscal year of the Association shall begin on the 1st (First) day January and end on the last day of December each year.

## **ARTICLE XIII: COMPENSATION**

**Section 1:** The Association may not, through any of its office bearers, committees, officers or authorized agents declare or pay any compensation to any person or organization.

## **ARTICLE XIV: CORPORATE SEAL**

**Section 1:** The Executive Committee shall provide a Seal with the name of the Association inscribed thereon.

## **ARTICLE XV: AMENDMENT OF THESE BY-LAWS.**

**Section 1:** In amending the provision or provisions of the Constitution, the following procedures shall be followed.

- a)** 20% (Twenty percent) of the currently registered members shall introduce the proposal for amendment of the provision or provisions of the Constitution.
- b)** The proposal shall be submitted in a written form to the Executive Committee who shall call a general meeting to consider the proposal for amendment(s).
- c)** The presence of 51% (Fifty one percent) of the total currently registered general members shall constitute a quorum.
- d)** Decisions shall be made by a 2/3 (Two third) majority of the currently registered members present in that general meeting.

### **Section 2: IMPEACHMENT AND PROCEDURES.**

- a)** Any member of the Association and/or member of the Executive Committee can be removed from the Association and/or office before the expiration of the term on the grounds of:
  - i)** Grave misconduct.
  - ii)** Violation of the provision or provisions of the Constitution, or
  - iii)** Misuse of office.
  - iv)** Violation of the main objectives of the Association and engaging in activities or conduct considered detrimental and harmful to the greater interest of the Association in general.
- b)** At least 20% (Twenty percent) of the currently registered total members present in a general meeting shall initiate the proposal for impeachment.
- c)** The presence of 51% (Fifty One percent) of the current total paid members present in a general meeting shall constitute a quorum.
- d)** At least 2/3 (Two third) of the currently registered members present in that general meeting shall make the decision.
- e)** If the President or the Vice President refuse to preside over the meeting, the current paid members present in this meeting shall request the Election Commissioner to preside over the meeting.

**Section 3:** Amendment(s)/resolution(s) shall become effective immediately upon passage.

**ARTICLE XVI: DISSOLUTION OF THE ASSOCIATION**

**Section 1: Voluntary Dissolution:** In case of voluntary dissolution, assets and liabilities of the Association shall be determined and all the liabilities shall be paid for by the Association. Balance remaining after payment of such liabilities shall be given as gifts to a charitable organization as determined by the Executive Committee; provided, however, that voluntary dissolution shall not be carried out without the approval of  $\frac{3}{4}$  (Three fourth) majority of the general members of the Association present as a quorum in a special meeting of the members.

**Section 2: Involuntary Dissolution:** In case of any involuntary dissolution being sought by the majority of the members of the Association or by the Creditor(s) of the Association, the bankruptcy proceeding shall be instituted as per law of the Commonwealth of Massachusetts or United States of America.

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