

CONSTITUTION OF UTTAMAYANMUNI BUDDHIST TEMPLE

NAME

1.1 This Society shall be known as the “Uttamayanmuni Buddhist Temple”, hereinafter referred to as the “Temple”.

PLACE OF BUSINESS

2.1 Its place of business shall be at “32B, Hong San Terrace, Singapore 688785” or such other address as may subsequently be decided upon by the Management Committee and approved by the Registrar of Societies. The Temple shall carry out its activities only in places and premises which have the prior written approval from the relevant authorities, where necessary.

OBJECTIVES

3.1 The objectives of the Temple are as follows:

- a) To propagate the teachings of the Buddha through lectures, discussions, activities, and publications;
- b) To encourage the teaching, practice and realisation of the Buddha’s Dhamma-Vinaya;
- c) To support the Buddhist Monastic Order (Sangha), so they may act as spiritual guides and ministers for the well being of the Buddhist community;
- d) To promote harmony, tolerance and loyalty amongst Buddhists towards others and the nation; and
- e) To promote charitable, humanitarian and community causes and activities for the relief of pain and suffering of all living beings.

3.2 In furtherance of the above objectives, the Temple shall have power to:-

- (a) Establish in Singapore facilities for the encouragement of the said objectives;
- (b) Establish and maintain public funds, each of which fund shall be for the exclusive purpose of providing money for the propagation of the Buddha’s teachings, charitable causes and activities, and maintenance and operation of the Temple and its facilities for the furtherance of the said objectives;
- (c) Invite Sangha members to reside in the Temple or its facilities in Singapore for periods agreeable to the Temple and approved by the Abbot(Chief Monk) of the Temple;

- (d) Provide all necessary material support, protection and requisites (including, without limiting the generality of the foregoing, food, shelter, robes and medicine) for any Sangha member invited by the Temple whilst they are in Singapore;
- (e) Pay all travel and related expenses to Singapore for any Sangha member invited by the Temple and for return to their normal place of residence;
- (f) Issue appeals for donations and newsletters and reports on the activities of the Temple;
- (g) Accept donations (whether periodical or otherwise) from such persons as the Temple shall in its discretion think fit or to refuse to accept any donation;
- (h) Accept donations for any specific fund established pursuant to this Constitution and on any special trusts that further the said objectives;
- (i) Place any monies of the Temple for the time being not required for the objects aforesaid in fixed deposits;
- (j) Take or rent, license, hire or otherwise temporarily acquire the use of any property for such period and at such rent or cost and on such terms and conditions as the Temple may think fit;
- (k) Employ and pay any agent or servant or contractor to transact all or any business of whatever nature required to be done in pursuance of the said objects including the payment and receipt of money and the Temple shall pay all charges and expenses so incurred and shall not be responsible for the defaults of any such agent or servant or any loss occasioned by his employment if such employment shall have been in good faith;
- (l) Open and maintain in the name of the Temple or otherwise a bank account or bank accounts at any bank or banks and to pay any part of the funds of the Temple to the credit of any such account or accounts;
- (m) Take such legal or other proceedings and steps for the recovery or protection of the property of the Temple or any part thereof and to adjust, settle, compromise or refer to arbitration any claims, demands and proceedings whatsoever;
- (n) Hold or invest in any property hereby authorised or to do any act or thing hereby authorised in the name of the Temple or in the name of any person in trust for the Temple or otherwise; and
- (o) Do all such acts or things as are in the opinion of the Temple necessary for the attainment of the said objects.

3.3 The Temple shall be of the Thai Theravada tradition (Mahanikai) and follows that of the Kelantan Thai monastic establishment as laid down by the founder of this Temple since the inception of the Temple in 1960.

OFFICE OF THE ABBOT (CHIEF MONK)

4.1 The Temple shall have an Abbot (Chief Monk) who shall be a member of the Sangha appointed by the Sangha-Governor of the Sangha Council residing in the State of Kelantan, Malaysia. The Abbot shall be the spiritual head of the Temple.

4.2 The Abbot shall be of Kelantanese Thai ethnicity and/or descent and ordained by members of the Kelantanese Sangha in the state of Kelantan, Malaysia.

4.3 The Abbot, by virtue of his office, shall be a permanent member of the Management Committee with full rights of a voting committee member as if he has been elected by the AGM.

4.4 In the absence of the Abbot, his deputy or a representative monk selected by the Abbot or appointed by the Sangha Council of the State of Kelantan, Malaysia, shall act on his behalf and be represented in the Management Committee with full rights of a voting committee member.

4.5 The Abbot shall oversee and decide all ritual/religious affairs conducted at the Temple. In his absence, his Deputy or a monk appointed by him shall take on this responsibility.

4.6 The Abbot shall be eligible to hold any office in the Management Committee subject to him meeting the requirements of any government's rules and regulations.

4.7 The Abbot shall be governed by the rules and regulations of the Monastic Orders. If the Abbot infringes, or is suspected to have infringed, on the rules and regulations of the Monastic Order, the Management Committee can by a two-third majority refer the Abbot to the Sangha Council residing in Kelantan for investigation and disciplinary actions.

4.8 If the Management Committee is not able to obtain two-third majority, the members could request in writing to the President of the Management Committee with not less than 25% of the total voting membership to refer the Abbot to the Sangha Council of Kelantan for investigation and disciplinary actions.

4.9 The Sangha Council chaired by the Sangha-Governor residing in the State of Kelantan shall have the authority to reprimand, suspend or remove the Abbot from office and appoint a new Abbot in his place.

4.10 The Abbot can, by way of written notice, inform the Management Committee and the Sangha-Governor residing in the State of Kelantan of his resignation from the position of Abbot. The resignation shall take effect upon confirmation of the letter of resignation by the Sangha-Governor.

4.11 The office of the Abbot shall automatically become vacant if the Abbot leaves the Temple without notifying any member of the Management Committee and providing valid reasons for his absence, and staying away from the Temple for more than 30 days.

MEMBERSHIP QUALIFICATION AND RIGHTS

5.1 No person below 18 years of age shall be accepted as a member without the written consent of his parents or guardian.

5.2 Only approved members, who are above 21 years of age, not convicted in any court of law, who are not undischarged bankrupts, shall have the right to vote and to hold office in the Management Committee of the Temple.

APPLICATION FOR MEMBERSHIP

6.1 A person wishing to join the Temple shall submit his particulars and application to the Honorary Secretary on a prescribed form approved by the Temple.

6.2 A new member must be proposed and seconded by existing members.

6.3 The Honorary Secretary or its designated officer shall review membership applications and submit them to the Management Committee for final approval.

6.4 The Management Committee or the Honorary Secretary may reject application for membership without assigning any reasons.

6.5 A copy of the Constitution shall be furnished or be published in the website for every approved member to download upon payment of the membership fee.

6.6 Every member of the Temple shall undertake to:

- (a) Promote the teachings of the Buddha;
- (b) Promote the welfare of the members of the Temple;
- (c) Observe and abide by the Rules and Regulations of the Temple;
- (d) Promote the charitable causes of the Temple;
- (e) Show and pay respect to all members of the Sangha at all times;
- (f) Refrain from taking part in any politics or activities that may threaten national harmony and security;
- (f) Promote inter-religious harmony; and
- (g) Abide by the Laws of the Republic of Singapore.

6.7 The Management Committee shall have power, with reference to the General Meeting of the Temple, to expel any member who contravenes Clause 6.6, or whose conduct is such that in the opinion of the Management Committee, it is undesirable for him or her to continue to be a member of the Temple.

6.8 A member who has been expelled by the Management Committee under Rule 6.7 may give notice of appeal to the General Meeting of the Temple when a special general meeting is being called upon.

6.9 For a member expelled under Rule 6.6 to be re-instated by the General Meeting at a special meeting a majority of two-thirds of those present shall be necessary. The decision taken at such a special general meeting shall be final.

6.10 The Abbot may at his discretion refer any member who shows disrespect or abuse members of the Sangha to the Management Committee for disciplinary action leading to expulsion and termination of his membership with the Temple.

6.11 The Management Committee shall have the right to prohibit any member of the public who show disrespect or abuse the members of the Sangha from entering the compound of the Temple.

ENTRANCE FEES, SUBSCRIPTIONS AND OTHER DUES

7.1 The entrance fees and subscriptions shall be determined by the General Meeting on the recommendation of the Management Committee from time to time.

7.2 The membership fee shall be reviewed and determined by the Management Committee from time to time and published on the Temple's Notice Board.

7.3 The membership fee will become payable immediately upon approval of membership, in default of which membership may be cancelled by order of the Management Committee.

7.4 Only members who have paid their current membership fee shall be eligible to vote at the Annual General Meeting.

SUPREME AUTHORITY AND GENERAL MEETINGS

8.1 The supreme authority of the Temple is vested in the General Meeting of the members.

8.2 An Annual General Meeting shall be held in March.

8.3 At other times, an Extraordinary General Meeting must be called by the President on the request in writing of not less than 25% of the total voting membership or thirty (30) voting members, whichever is the lesser, and may be called at anytime by order of the Committee. The notice in writing shall be given to the Honorary Secretary setting forth the business that is to be transacted. The Extraordinary General Meeting shall be convened within two (2) months from receiving this request to convene the Extraordinary General Meeting.

8.4 If the Committee does not within two (2) months after the date of the receipt of the written request proceed to convene an Extraordinary General Meeting, the members who requested for the Extraordinary General Meeting shall convene the Extraordinary General Meeting by giving ten (10) days' notice to voting members setting forth the business to be transacted and simultaneously posting the agenda on the Temple's notice board.

8.5 At least two (2) weeks' notice shall be given of an Annual General Meeting and at least ten (10) days' notice of an Extraordinary General Meeting. Notice of meeting stating the date, time and place of meeting shall be sent by the Secretary to all voting members. The particulars of the agenda shall be posted on the Temple's notice board four (4) days in advance of the meeting.

8.6 Unless otherwise stated in this Constitution, voting by proxy shall not be allowed at all General Meetings.

8.7 The following points will be considered at the Annual General Meeting:

(a) The previous financial year's accounts and annual report of the Committee.

(b) Where applicable, the election of office-bearers and Honorary Auditors for the following term.

Any member who wishes to place an item on the agenda of a General Meeting may do so provided he gives notice to the Secretary one (1) week before the meeting is due to be held.

8.8 At least 25% of the total voting membership or thirty (30) voting members, whichever is the lesser, present at a General Meeting shall form a quorum. Proxies shall not be constituted as part of the quorum.

8.9 In the event of there being no quorum at the commencement of a General Meeting, the meeting shall be adjourned for half an hour and should the number then present be insufficient to form a quorum, those present shall be considered a quorum, but they shall have no power to amend any part of the existing Constitution.

MANAGEMENT AND COMMITTEE

9.1 The administration of the Temple shall be entrusted to a Management Committee consisting of twelve (12) members, including the Abbot and eleven members to be elected at each Annual General Meeting.

9.2 The members elected to the Management Committee and including the Abbot shall elect among themselves the following office bearers:

A President;

Two Vice-Presidents;

A Honorary Secretary;

An Assistant Honorary Secretary;

A Honorary Treasurer;

An Assistant Honorary Treasurer; and

Four Committee Members

9.3 In addition to the elected members to the Management Committee, the Management Committee can co-opt up to an additional four (4) members to serve in the Management Committee as Committee Members. The co-opted Committee Members shall not have voting rights in the committee proceedings.

9.4 Unless with the prior approval in writing of the Registrar or an Assistant Registrar of Societies, majority of the Management Committee Members shall be Singapore Citizens. In addition, the President, Secretary, Treasurer and their deputies shall be Singapore Citizens or Singapore Permanent Residents. Foreign Diplomats shall not serve as Committee Members.

9.5 Names for the Management Committee shall be proposed and seconded at the Annual General Meeting and election will follow on a simple majority vote of the members. All office-bearers, except the Honorary Treasurer and Assistant Honorary Treasurer may be re-elected to the same or related post for a consecutive term of office. The out-going Honorary Treasurer and Assistant Honorary Treasurer can however stand for election for positions other than the Honorary Treasurer or Assistant Honorary Treasurer post. The term of office of the Committee is one year.

9.6 Election will be either by show of hands or, subject to the agreement of the majority of the voting members present, by a secret ballot. In the event of a tie, the Chairman of the meeting shall have a casting vote.

9.7 A Management Committee Meeting shall be held at least once every three (3) months after giving seven (7) days' notice to the Committee Members. The President may call a Committee Meeting at any time by giving three (3) days' notice. Majority of the voting Management Committee Members must be present for its proceedings to be valid.

9.8 Any member of the Management Committee absenting himself from three (3) meetings consecutively without satisfactory explanations shall be deemed to have withdrawn from the Management Committee and a successor may be co-opted by the Management Committee to serve until the next Annual General Meeting. Any changes in the Management Committee shall be notified to the Registrar of Societies and the Commissioner of Charities within two (2) weeks of the change.

9.9 The duty of the Management Committee is to organise and supervise the daily activities of the Temple. The Management Committee may not act contrary to the expressed wishes of the General Meeting without prior reference to it and shall always remain subordinate to the General Meetings.

9.10 The Management Committee shall have power to authorise expenditure of any sum from the Temple's funds for the Temple's purposes, as long as the expenditure does not draw down on more than 50 percent of the Temple's funds and resources.

9.11 The Management Committee shall seek approval from the General Meeting to commit expenditure that would draw down on more than 50 percent of the Temple's funds and resources.

DUTIES OF OFFICE-BEARERS

10.1 The President shall chair all General and Management Committee meetings.

10.2 The President shall represent the Temple in its dealings with outside persons.

10.3 The Vice-Presidents shall assist the President and deputise for him in his absence.

10.4 The Honorary Secretary shall keep all records, except financial, of the Temple and shall be responsible for their correctness. He will keep minutes of all General and Management Committee meetings. He shall maintain an up-to-date Register of Members at all times.

10.5 The Assistant Honorary Secretary shall assist the Honorary Secretary and deputise for him in his absence. He may be assigned special duties or portfolio by the President.

10.6 The Honorary Treasurer shall keep all funds and collect and disburse all moneys on behalf of the Temple and shall keep an account of all monetary transactions and shall be responsible for their correctness. He is authorised to expend up to \$5,000 per month for petty expenses on behalf of the Temple. He will not keep more than \$5,000 in the form of cash and money in excess of this will be deposited in a bank to be named by the Management Committee. Cheques, etc. for withdrawals from the bank will be signed by the Honorary Treasurer or Assistant Honorary Treasurer and either the Abbot or President or the Vice-President or the Honorary Secretary or Assistant Honorary Secretary.

10.7 The Abbot and the President must be notified formally by the Treasurer for all disbursement of funds or expenditure above \$10,000.

10.8 The Assistant Honorary Treasurer shall assist the Honorary Treasurer and deputise for him in his absence

10.9 The Ordinary Committee Members shall assist in the general administration of the Temple and perform duties assigned by the Management Committee from time to time.

10.10 The Management Committee shall have the power to invite leading Buddhists of good characters to be Patrons of the Temple.

10.11 The Management Committee shall have the power to fill any vacancy in the Management Committee which may occur during a working year until the next Annual General Meeting, and shall notify the Registrar of Societies and the Commissioner of Charities of the removal of any Committee Member or the appointment of a new Committee Member to fill a vacancy.

10.12 The Management Committee shall have the power to draw up regulations, and standing orders for the Temple. All members are required to comply with these regulations, and standing orders.

10.13 The Management Committee shall have the power to appoint special committee for special functions/purposes and to exercise direct control over the special committee.

AUDIT AND FINANCIAL YEAR

11.1 Two (2) voting members, not being members of the Management Committee, shall be elected as Honorary Auditors at each Annual General Meeting and will hold office for a term of one year only and shall not be re-elected for a consecutive term. The accounts of the Temple shall be audited by a firm of Certified Public Accountants if the gross income or expenditure of the Temple exceeds \$250,000 in that financial year, in accordance with Section 4 of the Societies Regulations.

11.2 They:

(a) Will be required to audit each year's accounts and present a report upon them to the Annual General Meeting.

(b) May be required by the President to audit the Temple's accounts for any period within their tenure of office at any date and make a report to the Management Committee.

11.3 The financial year shall be from 1st January to 31st December.

TRUSTEES

12.1 If the Temple at any time acquires any immovable property, or inherit any property at the date of its registration or from other donors, such property shall be vested in trustees subject to a declaration of trust.

12.2 The Abbot of the Temple shall by virtue of his office automatically be appointed as a Trustee of the Temple.

12.3 The other trustees of the Temple shall:

(a) Not be more than eight (8) and not less than two (2) in number.

(b) Be elected by a General Meeting of members.

(c) Not effect any sale or mortgage of property without the prior approval of the General Meeting of members.

12.4 The office of the trustee shall be vacated:

(a) If the trustee dies or becomes a lunatic or of unsound mind.

(b) If he is absent from the Republic of Singapore for a period of more than one (1) year.

(c) If he is guilty of misconduct of such a kind, or charge in a court of law for any offence, as to render it undesirable that he continues as a trustee.

(d) If he submits notice of resignation from his trusteeship.

(e) If he is removed from office by a majority vote in the General Meeting.

12.5 Notice of any proposal to remove a trustee from his trusteeship or to appoint a new trustee to fill a vacancy must be given by posting it on the notice board in the Temple's premises at least two (2) weeks before the General Meeting at which the proposal is to be discussed. The result of such General Meeting shall then be notified to the Registrar of Societies and the Commissioner of Charities.

12.6 The address of each immovable property, name of each trustee and any subsequent change must be notified to the Registrar of Societies and the Commissioner of Charities.

VISITORS AND GUESTS

13.1 Monks invited to the Temple by the Abbot or his Deputy (in consultation with the Abbot) shall be allowed to reside at the Temple for a duration determined by the Abbot or his Deputy (in consultation with the Abbot). The Temple has the right to refuse requests for temporary/ permanent accommodation by monks unfamiliar to the Abbot.

13.2 Invited Monks are to be provided with a stipend and expenses by the Temple at a rate to be determined by the Abbot.

13.3 Visitors and guests may be admitted into the premises of the Temple but they shall not be admitted to the privileges of the Temple. All visitors and guests shall abide by the Temple's rules and regulations.

PROHIBITIONS

14.1 Gambling of any kind, excluding the promotion or conduct of a private lottery which has been permitted under the Private Lotteries Act Cap 250, is forbidden on the Temple's premises. The introduction of materials for gambling or drug taking and of bad characters into the premises is prohibited.

14.2 The funds of the Temple shall not be used to pay the fines of members who have been convicted in court of law.

14.3 The Temple shall not engage in any trade union activity as defined in any written law relating to trade unions for the time being in force in Singapore.

14.4 The Temple shall not indulge in any political activity or allow its funds and/or premises to be used for political purposes.

14.5 The Temple shall not hold any lottery, whether confined to its members or not, in the name of the Temple or its office-bearers, Management Committee or members unless with the prior approval of the relevant authorities.

14.6 The Temple shall not raise funds from the public for whatever purposes without the prior approval in writing of the Assistant Director Operations, Licensing Division, Singapore Police Force and other relevant authorities.

AMENDMENTS TO CONSTITUTION

15.1 The Temple shall not amend its Constitution without the prior approval in writing of the Registrar of Societies and the Commissioner of Charities. No alteration or addition/deletion to this Constitution shall be passed except at a General Meeting and with the consent of two-thirds (2/3) of the voting members present at the General Meeting.

INTERPRETATION

16.1 In the event of any question or matter pertaining to day-to-day administration which is not expressly provided for in this Constitution, the Management Committee shall have power to use their own discretion. The decision of the Management Committee shall be final unless it is reversed at a General Meeting of members.

DISPUTES

17.1 In the event of any dispute arising amongst members, they shall attempt to resolve the matter at an Extraordinary General Meeting in accordance with this Constitution. Should the members fail to resolve the matter, they may bring the matter to a court of law for settlement.

DISSOLUTION

18.1 The Temple shall not be dissolved, except with the consent of not less than three-fifths ($\frac{3}{5}$) of the total voting membership of the Temple for the time being resident in Singapore at a General Meeting convened for the purpose, and with the express approval of the Abbot and the Sangha-Governor of the Sangha Council residing in the State of Kelantan, Malaysia.

18.2 In the event of the Temple is being dissolved as provided above, all debts and liabilities legally incurred on behalf of the Temple shall be fully discharged, and the remaining funds will be donated to an approved charity or charities in Singapore which is or are registered under the Charities Act as the General Meeting of members may determine.

18.3 A Certificate of Dissolution shall be given within seven (7) days of the dissolution to the Registrar of Societies, and the Commissioner of Charities.

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