

# **Constitution of the Society of Nepalese Students in Korea (SONSIK) (3rd Amendment, 2014)**

## **Preamble**

We, the Nepalese students studying at different Academic Institutions in Korea, having felt the need to establish a unified students' Society to promote our academic, professional and other mutual interests through wider, regular and frequent exchange of views among ourselves, and believing that closer relations with various academic institutions and professional groups in Korea, Nepal and abroad would be helpful in promoting our common academic interests, DO HEREBY agree to form ourselves into a voluntary Society and adopt this Constitution.

## **Terms and Abbreviations used in this constitution**

The abbreviations and terms used in this constitution solely mean to explain the interest of students' welfare; its objectives and working limits will be within the framework of the constitution approved by the General Assembly of this society.

**Students:** Nepalese Students enrolled for 6-months or more than 6-months course in any university, institute or school in South Korea.

**SONSIK:** Society of Nepalese Students in Korea.

**GA:** General Assembly

**Executive body:** The governing body of the SONSIK.

**Officers:** Members involved in the executive body of the society.

**P&P:** Policies and Procedures

**EC:** Election Committee

**Fiscal Year:** From September to August

**Society:** Society of Nepalese Students in Korea.

## **Article I: Name, Objective and Guiding Principles**

### **A. Name**

1. The Society shall be known as the Society of Nepalese Students in Korea or SONSIK in short.
2. The office address of the organization shall be located in Seoul, South Korea.
3. The organization shall operate its activities in South Korea and it may open branches or local offices taking prior approval from the General Assembly of the organization.
4. The Logo of the Society shall be as shown in Annex I.

## **B. Objective**

1. To facilitate academic, cultural and social engagements among SONSİK members.
2. To develop network and communication among SONSİK members.
3. Provide forum for the presentation and promotion of innovative ideas among its members.
4. Act as a channel in strengthening bilateral relations between Korea and Nepal in the field of research, education, socio-economic and technological development.
5. To coordinate with various academic institutions as well as education related organizations including scholarship providers and policy framers.

## **C. Guiding Principle**

1. The following guiding principles shall shape the objectives and activities of the Society.
  - a. The Society shall act as a common forum of all Korea-based Nepalese students to facilitate exchange of views and promotion of mutual cooperation.
  - b. The Society shall act as an umbrella body of all other regional/local association of Nepalese students at any Korean Institutions and work to strengthen mutual cooperation and activate all students.
  - c. The Society shall work for the promotion of academic, cultural, social welfare and other common interests among all the members.
  - d. The Society through EC shall maintain close links with other non-political institutions to promote the cultural and academic exchanges between Nepal and Korea.
  - e. The Society shall help to get information regarding study opportunities in Korea across interested Nepalese.
  - f. To fulfill the above guidelines (1. a-e), the Society shall also keep in touch with other Nepalese academicians, researchers and professional groups living in Korea as and when necessary.
  - g. The Society shall refrain from any politically motivated activities.

## **Article II: Membership/Affiliations**

### **A. Kinds of Membership**

1. The Society shall have Regular, Affiliated, Founder, junior and Honorary memberships.
2. Regular membership shall be open to all the university level (undergraduate course, graduate course, vocational study, Korean language study, and research) Nepalese students who must be enrolled at least for 6-months in Korea. Here the University level means after completion of the Intermediate Certificate (12 years of formal education) or equivalent.
3. Affiliated Membership shall be open to those Nepalese holding any degree from Korean universities and currently living or working in Korea, or those Nepalese who have non-Korean degree but involved in the research or teaching activities in Korean academic institutions.

4. Honorary Membership may be awarded to any person whom Executive Committee feels appropriate to provide the membership on the grounds of the individual's academic achievements and meritorious services to Nepal.
5. Those persons who initiated the process to establish the organization shall be the founder members of the organization who can be invited as special guest in general assembly.
6. All Nepalese students studying in Korea at high school standard or below that standard shall be the junior member of SONSİK. Junior members shall have right to participate in all the SONSİK activities.
7. 'Friends of SONSİK' may be awarded from the decision of Executive Committee to any Koreans or Nepalese individual/organization who can give or have given contribution for the SONSİK and are involved in educational or social development of any such projects in Korea or in Nepal.

#### **B. Duties and Responsibilities of Members**

- a. Each member of the organization must be dedicated to the progress and interest of the organization by spirit, speech, and act.
- b. Must abide by this Constitution and Rules by letters.
- c. Duty of a Member shall be to contribute actively as far as possible in each activity to be conducted by the organization.
- d. All the members shall have duty to contribute actively to the policy, program, and appeal of the organization sensitively.
- e. All the members shall update his membership status and other details every year.

#### **C. Rights and Privileges of Members**

1. Each member of the organization shall have a right to participate in all activities of the organization.
2. A Regular Member shall
  - a. Be eligible to vote for and can be candidate for any Executive Committee post and/or other posts of the Society.
  - b. Be entitled to receive all official publications of the Society.
  - c. Shall have rights to participate in General Assembly, contest for the position of the Executive Committee and cast vote in the election. Each regular member shall have a right for one vote.
3. Affiliated Members, Honorary Members, Founder Members, Junior Members and Friends of SONSİK shall be entitled to receive all official publications of the Society. However, they cannot become candidates for any Executive Committee post of the Society and shall have no voting rights for such posts.

#### **D. Conditions to Cease Membership or Impeachment and Dismissals**

On the following grounds, membership of any one shall not exist:

1. Membership of anyone shall automatically be cancelled if any one doesn't meet minimum qualifications.
2. SONSİK has proven the guilty of misusing SONSİK's property.
3. Any member of the organization may renounce from the membership through submitting resignation in writing after clearing outstanding dues.

4. Membership shall be cancelled in case any assists or participates in any subject matter that runs against the interest and objectives of the organization.
5. General Assembly passes resolution to remove from the post of member from 2/3 majority of attendees.
6. Commits any prohibited act as specified by this constitution.
7. Annual membership fee is outstanding as a due.
8. Executive may suspend or remove the membership of SONSIK members in case he/she acts against the spirit of SONSIK and behaves objectionably with SONSIK members. However, every opportunity shall be afforded to such Member to clarify and defense against the accusations.

#### **E. Membership fee and Renewal**

1. The membership fee for individual member shall be 10,000 (Ten Thousand) Korean Won and annual renewal fee is 10,000 (Ten Thousand) Korean Won.
2. The membership shall be effective for one year (12 Months) from the month of membership fee paid.
3. Every member shall renew the membership by the end of the month that membership has been received by paying the prescribed membership fee. In case of delay in paying the prescribed fee, late fee 1000 (One Thousand) Korean Won shall be charged every month.
4. Executive committee of the organization may modify the entry and annual fees.

### **Article III: Provisions related to General Assembly, Executive Committee and Meetings**

#### **A. Composition of General Assembly**

1. All the members mentioned in article II (A) of the constitution shall form the General Assembly. As the Assembly is the main decisive organ of the organization, founder members, honorary members and advisors shall only be participant as invitee members. Regular Members as prescribed by article II (A) shall only be eligible to tender candidacy for the executive committee and cast vote.
2. Meetings of the General Assembly shall be as following:
  - a. Annual General Assembly: This meeting shall be convened once in a year by the Executive Committee.
  - b. Special General Assembly: Two third majorities of the regular members may demand for special general assembly along with 51 percent majority of the Executive Committee, Special General Assembly may also be called.
3. Notice to all the regular members shall compulsory be served at least 21 days prior to the Meeting for Annual General Assembly and at least 7 days prior to Special General Assembly specifying the venue, date, and time along with agenda of discussion.
4. Participation
  - a. Participation in person or through any form of electronic media shall be valid for the purpose of any meeting.

- b. All the members of SONSIK are eligible to take part in the GA for expressing their views. However, only the views of the Regular members shall be counted for voting purpose, should such a situation arise on any issue during the GA meeting.
5. Notice of meeting and agenda: All the Members of SONSIK shall be informed about the meeting and the agenda by the EC through the common mail and/or official webpage and/or official social networking media of SONSIK.
6. Duration: The EC shall determine the duration of GA meetings as deemed necessary by the agenda and the participation of the members.
7. Quorum
  - a. Participation of at least fifty percent of the regular member in the GA meeting shall be considered a valid quorum.
  - b. If this quorum is not fulfilled within the stipulated duration, the EC may extend the duration as deemed necessary.
  - c. After the extension of the duration, the GA shall be considered valid irrespective of the percentage of the participation.
8. Decision: Decision on any issue, except for those mentioned otherwise in this constitution, shall be made on the basis of simple majority vote cast by Regular members.
9. In case of failure to reach to a quorum of the Assembly or Special General Assembly called pursuant to be Sub Section 3, General Assembly may be recalled giving 7 days prior notice to the members.

#### **B. Powers, duties, and functions of General Assembly**

1. The Assembly shall take decision on fundamental policy guidance, plans, and programs as per rule of the society. Additionally, it shall provide essential approval to the Executive Committee decisions.
2. The Assembly shall elect the Executive Committee through secret ballot or on mutual consensus.
3. The Assembly shall review the activities of the Executive Committee and approve the financial and audit report after study and discussion presented by Secretary and Treasurer.
4. The Assembly shall approve amendment proposals of the Executive Committee on the Constitution, Rules and By Rules.
5. The Assembly shall approve the budget of long-term projects.
6. The Assembly may seek clarification from any member regarding to have bad conduct or other wrong activity, and may suspend or expel from the membership in case the clarification submitted is found unsatisfactory.

#### **C. Constitution of the Executive Committee**

1. There shall be an Executive Committee elected from the members of the General Assembly comprising a President, Four Vice Presidents (one each from Seoul/ Kangwon/ Kyonggi-do, Chungchungnam/ Chungchungbuk-do, Kyongsangnam/ Kyongsangbuk-do, and Chollanam/ Chollabuk/ Jeju-do), a Secretary, a Joint Secretary, a Treasurer, and five Members.
2. All the positions of the Executive Committee shall be elected or selected from the General Assembly through Election or Consensus.
3. The tenure of the Executive Committee shall be of 1 year from the date of appointment. An election of the Executive Committee shall be held in 1 year.

4. Meeting of the Executive Committee shall be called at least 6 times in a year by Secretary as directed by President. But in case 51 percent out of total members of the Executive Committee demand to call a meeting, President shall give direction to Secretary to call a meeting. In the Absence of President, the meeting may continue with 51 percent of Executive Committee chaired by senior vice president by age present in the meeting.
5. Meeting of the Executive Committee shall be held in the presence of at least 51 percent members out of total members of the Executive Committee.
6. In the meeting of Executive Committee, majority decision shall be valid and in case of tie of vote, President may cast decisive vote.
7. Each member of the Executive Committee shall be accountable towards President and decisions of Executive Committee.
8. If the post of Executive Committee other than president becomes vacant, it could be appointed by Executive Committee decision for the remaining tenure.
9. All the activities of the Society shall be effective from the Executive Committee decision.

#### **D. Powers, Duties, and Functions of the Executive Committee**

1. To prepare yearly program and budget estimate of the Society for the next fiscal year and present that in the General Assembly.
2. To implement decision of the General Assembly abiding by the provisions of the constitution.
3. To represent the Society officially.
4. The Executive committee shall perform essential work establishing relationship with relevant organizations, foundations, governments, and individual supporters to protect and promote profession interest and privilege of the Society.
5. To carry out daily administrative tasks in accordance with Constitution and Rules of the Society.
6. To present draft annual program and budget before the General Assembly for approval.
7. To award membership based on the norms set by the constitution.
8. To submit explanation in the General Assembly if any action has been taken against any EC member.
9. To take responsibility of the daily activities related to account and administration, and operate financial transaction pursuant to the fiscal rules.
10. May call emergency General Assembly as per need.
11. Shall appoint its team of representatives to represent the Society to participate in the local, national, and international conference, seminar, meeting or tour.
12. Any Member of the Executive Committee may be suspended or removed from the post by a 2/3rd majority vote of all Regular members of the Society. Such suspension or removal may be made on any of the following grounds
  - a. Inefficiency
  - b. Abuse of the Office
  - c. Disloyalty towards the Society
  - d. Gross misconduct
  - e. Immorality
  - f. Other grounds deemed actionable by the GA.

13. The EC holds the right to form different sub-committee to carry out specific tasks as and when necessary. The EC shall announce the mandate and the tenure of such a sub-committee at the time of its formation.
14. In case, no any member are present from any one of the above province assigned for the Vice President, the nomination will be carried out from the province, which contain highest number of the members present in the GA meeting. In case two provinces have the same number of members present, the final nomination will be decided by the approval of GA.
15. The EC should report to the GA.

#### **Article IV: Candidacy, Powers, Duties, and Functions of the Office Bearers**

##### **A. Candidacy**

1. All officers of Executive Committee shall be elected through the election procedure as specified in this constitution.
2. All officers of Executive Committee candidates must be Regular member of SONSİK.
3. For the candidacy of the President, the regular member must have served at least a year already in SONSİK as officer of EC.
4. For the candidacy of officers other than President, article IV (A.3) will not be applicable.

##### **B. Duties and responsibilities of the officers**

1. The President shall be the Chief executive of SONSİK and shall preside over all the GA meetings as far as possible.
2. In the absence of the President, Vice-Presidents shall assume the duties of the President according to article III (C.4).
3. If the position of the President falls vacant for whatever reasons, the EC shall immediately nominate an acting President from among the existing Vice Presidents. The post shall be considered vacant if any of the condition applies
  - a. If he/she fails to attain three consecutive official EC meetings without prior notification to EC.
  - b. If 2/3rd of EC deem him/her to be physically or mentally incapable or unfit to respond to the assigned duty.
  - c. If he/she is deceased.
  - d. If he/she ceases to be the Regular member of SONSİK.
4. Any officer post shall be considered vacant under conditions in article IV (B.3. a-d).
5. The Secretary shall attend all the meetings, prepare the business thereof and keep record of all proceedings including the full handling of SONSİK website.
6. The Secretary shall be in close contact with all the members and inform them about the activities of SONSİK via email and/or official SONSİK webpage and/or official SONSİK social network media.
7. In the absence of Secretary, Joint Secretary will discharge the responsibilities of the Secretary.

8. The Treasurer shall keep all the records of the account of SONSIK and shall present a detailed Annual Financial Report of SONSIK during GA meetings after approval of the EC.
9. In the absence of Treasurer, 2/3rd of EC shall immediately nominate an acting treasurer from existing EC or regular members.

### **C. Election of officers**

1. Officers of EC shall be elected through direct voting by Regular members at the GA meeting held at the end of the tenure of the existing EC.
2. The EC shall make nomination(s) to fill vacant positions, if any from the Regular members (except for president) or from inside the EC. Duration of such nominee shall not outlast the term of the EC.
3. In case any of the following situations arises, an election shall be held at the earliest at the proposal of EC.
  - a. If the posts of the President and all the Vice Presidents become vacant at once due to resignation or any other causes.
  - b. If more than 2/3rd posts of the EC including those of the President and the Secretary become vacant at once due to unforeseen reasons.

## **Article V: Financial Arrangements**

### **A. Financial Sources**

There shall be a separate fund of the society with the deposits of the following amount received to this society.

1. Membership fees from the Regular and affiliated members of SONSIK.
2. Amount received as donation and assistance.
3. Executive Committee may determine other sources of income.
4. Amount received through fund raising programs organized by SONSIK.

### **B. Account Management**

1. Amounts received from any sources on the name of this organization shall deposited to a fund of its' name or joint name of President, Secretary and Treasurer opening a bank account in local bank.
2. The account shall be operated from joint signatures of President or Secretary and Treasurer of Society.
3. The Society shall arrange to spend and maintain the records of expenditures according to prevailing acts and rules.

### **C. Expenditure of the fund**

1. The fund shall be handled by the Executive Committee for the functioning of society, carrying out its programs, publication of Society's bulletin and other regular activities of society as approved by EC.



2. Utilization of fund for any purpose other than the article V (C.1) shall be approved in advance by the GA.
3. Financial transaction shall be made through cheque if possible. But transactions up to KRW 100000 shall be arranged to be operated on cash by treasurer, or other as specified by Executive Committee.
4. All the procedures of procurement to payment of the society shall be under the financial rules and budget. In relation to budget that must be specified by executive committee.
5. In case of emergency, President may spend up to KRW 100000 at a time. Such expenses shall have to be approved from the forthcoming Executive committee meeting.
6. In case of expenses not included in the fiscal estimated budget plan as specified by executive committee, approval from the forthcoming executive committee meeting is required.
7. The Treasurer shall keep records of all the incomes and expenditures and an Annual Financial Report should be presented in the General Assembly meeting.

#### **D. Student Contingency Fund Management**

1. SONSIK shall help Nepalese students studying in Korea through Student Contingency Fund.
2. Under no circumstances this fund shall be used other than health and educational purposes.
3. The final decision on beneficiary according to article V (D.1) shall be taken by EC.
4. Within the defined areas mentioned in article V (D.2), the specific case shall be decided by EC.
5. The source of fund shall be managed through
  - i. Direct donation in the name of this fund.
  - ii. 15% on the saved money of each program organized during fiscal year.
  - iii. Other means as decided by executive committee.

#### **E. Audit**

1. The account of income and expenditure of organization shall be maintained according to prevailing laws.
2. The auditing of the society shall be performed by the auditor as appointed by executive committee.
3. The Executive Committee shall nominate any regular member(s) of Society, who is/are currently not holding any Executive committee officer position, as the Auditor(s) to audit the accounts of Society before presenting the Annual Financial Report to the GA.
4. If the local authority wants to inspect or makes arrangements inspection of the account of the society deputing subordinate employee, it may do it at any time.
5. The program coordination committee shall disclose the total income and expenditure of each program at the end of the respective event through social audit.

### **Article VI: Provisions Related to Election**

#### **A. Provision Related to Election**

1. For the election of Executive Committee, an election committee shall be constituted not exceeding 3 members by General Assembly. Such election committee shall automatically be dissolved after completion of such election.
2. Procedures of election shall be specified by election committee.
3. Only one person can be elected from one university for the post of President, Vice Presidents, Secretary, Joint-Secretary, and Treasurer. Further only one person can be elected as executive committee member from same university.
4. One person may be reelected for not more than 2 terms in any post of President, Vice-president, Secretary, Joint-Secretary, and Treasurer in the executive committee.
5. The voting system shall be decided by the Election committee.
6. The candidate receiving the highest number of votes for each post shall be declared elected.
7. The decision of the Election Committee shall be considered final if any dispute arises in the process of election.
8. The Election Committee shall conduct the oath of the elected officers collectively or individually according to the format set by the Election committee itself.

**B. Duties and responsibilities of election committee**

1. Make necessary arrangement for the election of the EC.
2. Follow all the basic procedure for the election and declaration of the election result.
3. Submit the final result to the GA for its approval.

**Article VII: SONSİK Publications**

**A. Bulletin and editorial board**

1. An official bulletin of Society, SONSİK e-Newsletter and SONSİK Souvenir, shall be published quarterly and annually respectively and an e-copy shall be made available to all members of Society via official webpage and/or social networking media.
2. The EC shall nominate the Editor in Chief and other members of the Editorial Board of the Bulletin.
3. The EC shall also nominate one of its office bearers to co-ordinate the Editorial Board and the EC.
4. The tenure of the Editorial Board shall be of one year only.

## **Article VIII: Advisory Committee**

### **A. Advisory committee**

1. EC shall form an Advisory Committee within 30 days from the start of its tenure.
2. EC shall recommend an Advisory Committee if and when felt necessary.
3. Such a committee shall act as an advisory body to SONSIK and shall consist of a Chairperson and other members as deemed necessary by the EC.
4. The EC may recommend for nomination of any person who is directly or indirectly related to SONSIK or Nepal, who is a well-wisher of SONSIK, and whose inclusion would be beneficial to SONSIK, as the Chairperson or Member of the Advisory Committee.
5. The President of SONSIK shall act as the Member Secretary and the immediate past President of SONSIK shall be the ex officio member of the Advisory Committee.
6. The tenure of the Advisory Committee will be same as the executive committee.

## **Article IX: Miscellaneous**

### **A. No Confidence Motion**

1. No confidence motion shall have to be registered duly in writing in the society specifying name of the office bearer(s) along with following procedures:
  - a. Must be in decent English or Nepali Language.
  - b. Subject matter must be clear and practical.
  - c. Must be with the signature of one fourth of the members of the general assembly along with their names and address.
2. To discuss on the no confidence motion registered under article IX (A.1), notice shall be served to the members and office bearers or the general assembly or special general assembly pursuant to this constitution along with the time, date, and place of such assembly.
3. Procedures of Discussion over the No Confidence Motion:
  - a. Chairman of current advisory committee shall give permission to present the motion before the assembly pursuant to sub section 1, and a member amongst the proponents shall views along with reasons of the motion before the assembly.
  - b. After the presentation of the member in favor of the motion pursuant to sub section 3(a), the Chairman of current advisory committee may give permission to maximum of 3 members to present their views.

- c. Chairman of current advisory committee may give permission to the office bearers against whom the motion is presented to present their defense.
4. Decision on the No Confidence Motion:
- a. Chairman of current advisory committee shall table the motion to decide on the majority in favor and declare the results adopting any procedure out of the following:
    - i. By separating members in two groups one in favor and another against, or
    - ii. By secret ballot.
  - b. No confident motion shall be adopted by two third majorities of the members of the assembly. On such a condition adoption of motion to remove from the post, such members shall be expelled.

#### **B. Objection Submission Procedure**

1. Any member of SONSİK can submit the objection.
2. Identification of submitter must be enclosed in the objection application.
3. The objection submitted through official email of SONSİK shall only be considered as valid.
4. The EC shall respond to such objection within one week.

#### **C. Formulation of Rules and Policies**

1. The Executive Committee may formulate and enforce essential rules, policies, and procedures to smoothly discharge the functions of Society.
2. 'Special Decisions' under the framework of article I (C.1.a-e) may be made at any regularly called meetings of the Executive Committee to deal with any unforeseen conditions of emergencies.
3. 'Special Decisions' shall be ratified by a simple majority vote in a General Assembly meeting within a period of three months or following annual General Assembly meeting.

#### **D. Formulation of SONSİK Alumni Association in Nepal**

SONSİK Alumni returned to Nepal can be organized together to form a Society, which will work independently and cooperate with SONSİK for mutual benefit.

#### **E. Employee Recruitment**

To operate daily activities, plans and programs of the society, post of employees, salary, allowances and other facilities and terms and conditions of employees, procedure to be adopted shall be as specified by Executive committee.

#### **F. Amendment of the constitution**

In case of necessity to make amendment on the Constitution, amendment motion shall be presented in the General Assembly, and shall have to be adopted by two third majority of the General Assembly.

#### **G. Affectivity of the constitution**

This constitution shall be effective as soon as it is approved by the GA meeting.

#### **H. Dissolution of the organization**

1. General Assembly may dissolve the society through passage of a special resolution as it deems essential.
2. After cleaning all the liabilities of the society, all the property left shall be given to Nepal government.

#### **I. Interpretation**

The executive committee shall have a right to give final interpretation of the rules, procedures, and plans formulated under the constitution. But the final interpretation of constitution shall be given by General Assembly.

#### **J. Secrecy to be maintained**

No official or member shall act against this society. No official or the executive committee or members of General Assembly shall use uncivilized and vulgar words. The society maintains secrecy of the secret matters. If anyone fails to do that, action shall be taken as per the executive committee decision.

#### **K. To be as per the laws**

Contents not stated in this constitution shall be held in accordance with the prevailing laws, and contents inconsistent with prevailing Acts, Rules, and Laws shall be held void to the extent of such inconsistency.

### **Annex I**



**From SONSIK 10th Executive Committee:** This 3rd amended constitution was passed by the 11th Annual General Assembly Meeting of SONSIK held from 16 to 17 August 2014 and came in effect from 16 August 2014, as notified by the executive committee's notice.