



FIJI ARTS COUNCIL

CONSTITUTION

PART I

The name of the institution shall be: - **FIJI ARTS COUNCIL** hereinafter referred to as " The Council"

The registered office of the Council shall be Level 2, Procera House Waimanu Road, Suva

The postal address shall be P.O.Box 2432, Government Buildings, Suva

PART II

Aims and Objectives of the Council

1.
 - a) To encourage and promote the practice understanding and appreciation of the Culture and Arts in Fiji.
 - b) To establish, erect and control institutions, funds, assets, properties and in particular establish schools, Cultural Centres, Libraries, Art Gallery, Auditoriums, Archives generally for the furtherance of education and Arts in Fiji.
 - c) To purchase, lease, exchange, hire or otherwise acquire any property or rights or privileges which may be deemed necessary for the purpose of the Council and to improve, manage, develop, sell, lease, mortgage, dispose of, turn into account or otherwise deal with all or any part of the property as may seem essential or expedient in the interest of promotion and furtherance of the Arts.
 - d) To open and maintain a bank account

- e) To accept, hold and dispose of moneys or other property, including sums voted by the Parliament of Fiji.
- f) To invest moneys which are not immediately required to be expended and to vary any investment held or made.
- g) To employ, remunerate and discharge officers and servants.
- h) To borrow such moneys as may be approved on such terms and condition the Ministry may decide.
- i) To enter into contracts and agreements with local or overseas artists or other persons.
- j) Generally to do over lawful acts whatsoever that may be conducive or incidental to the attainment of the aims and objectives of the Council.

PART III

Organization.

- 2. The Council shall consist of a Chairman, Deputy Chairman and not less than six other members, all of whom shall be appointed by the Minister.
- 3. The Chairman, Deputy Chairman and members shall be appointed for a period of two years and shall continue in office until they respectively retire or resign or until they are removed from office by the Minister. Retiring members shall be eligible for reappointment.
- 4. The Minister shall appoint three persons as Trustees for and on behalf of the Council. The function of the Trustees shall be to hold property on behalf of the Council.

PART IV

Meetings

- 5. The Council shall meet at least once in each quarter of every year.
- 6. The Chairman shall preside at every meeting and in his absence the Deputy Chairperson shall preside. If at any meeting the Chairman or Deputy Chairman is absent the members present shall elect a temporary Vice Chairman who shall then preside.

7. Questions arising at any meeting, shall be decided by a majority of votes of those personally present, and in the case of an equality of votes the presiding Chairman, at that meeting, shall have a second or casting vote.
8. The Chairman or in his absence the Deputy Chairman may at any time summon a meeting of the Council.
9. In the event of the Chairman and the Deputy Chairman being prevented by illness or other cause from summoning a meeting, or in the event of the Chairman failing to summon the number of meetings required under Clause 4 hereof, any member of the Council may with the consent in writing of any two other members summon a meeting of the Council.
10. The quorum necessary for the conduct of business of the Council shall be 1/3 of the appointed members of the Council, personally present.
11. Subject to the provisions hereon the Council may regulate its own procedure.

Business at Meetings

12.
 - (a) To receive and adopt reports from the Committees and/or Advisory Panels as hereinafter constituted, to review past work of the Council, and to plan future policy.
 - (b) To consider any motion or resolution.
 - (c) To consider any other business in the interest of the Council.

Committees and Advisory Panels

- 13
 - (a) At the first meeting after its appointment, the Council shall appoint a Finance Committee of three members, one of whom shall be the Council Chairman, which shall meet at least once each quarter.
 - b) The Council may at any time appoint other committees or advisory panels consisting of such of the Council or the persons that the Council may elect and may revoke such appointment once made.
 - c) The Council may delegate any of its functions or responsibilities to such a committee or advisory panel.

- d) The quorum for committees or advisory panels shall be 50% of members. The Council may lay down procedure of any such committees or advisory panel.
- e) Any member of a committee or advisory panel shall be entitled to be reimbursed expenses incurred in the course of the Council's duties, but shall not be entitled to any direct payment for his/her services as an ordinary member.

Accounts and Minutes

- a) The Council shall cause true accounts to be kept of all sums of money received and expended by the Council, and of the assets and liabilities of the Council. An auditor appointed by the Council and approved by the Minister shall audit such accounts annually.
- b) The Chairman and three other members of the Finance Committee or an officer appointed by the Council for this purpose shall operate any bank account maintained by the Council jointly. Any two signatures shall be required before moneys may be withdrawn from such account. In the event of the Chairman or such members or officers being prevented by illness or other cause from operating such account, then the Council may appoint any other members or officers to operate it.
- c) The Chairman of the Council shall cause minutes to be kept of all meetings of the Council and such minutes shall record the names of the persons present, and all resolutions and proceedings at such meetings.

PART V

Officers

- 15. The Council may appoint and remunerate such officers and servants, as it may consider necessary to carry out its duties and objects. The duties of the Secretary shall be:
 - a) To conduct the business of the Council in accordance with the rules and regulations and shall carry out all instructions given to it by the meetings of the Council or that of the committees and advisory panels of the Council.
 - b) To attend and record minutes of Meetings.

- c) To prepare the annual Report of the Council and any other Reports as necessary for the Council.
 - d) To conduct all correspondence for and on behalf of the Council and to have proper custody of all documents.
 - e) To keep a register of past and present members of the Council and Trustees past and present as appointed by the Minister.
 - f) To supervise the staff general administration and daily affairs of the Council and to secure the observance of the Council's rules, objects, resolutions and decisions.
- 16) Such officers or servants shall undertake such other duties including the keeping of the council's accounts and minutes as the council may decide.

PART VI

Annual Report

- 17 The Council shall, within 3 months after the end of the year prepare a general report of its activities for the year preceding. A copy of the report shall be sent to the Minister and may be published in such manner as the Council may think fit.
- 18 The report shall include a statement of the Council's account for the proceeding year and of the auditor's certificate thereon.

PART VII

Application of Income and Use of Funds.

- 19.
- a) The income and property of the Council whosoever derived shall be applied solely towards the promotion of the aims and objectives of the Council.
 - b) No member of the Council shall receive any remuneration for his services, however, any officer whose duties call for future-time services

on behalf of the Council may be paid a salary or other remuneration to be determined by the Council and approved by the Minister.

- c) All moneys, funds, accounts, securities and other assets shall stand in the name of the Council.
- d) For the payment of expenses for the administration of the Council and its educational and cultural activities and for the audit of the accounts of the funds of the Council.
- e) For the prosecution or defense of any legal proceedings to which the Council or any of its officers is a party, when such prosecution or defense is undertaken for the purpose of securing or protecting any rights of the Council.
- f) For expenses genuinely incurred on Council business by officers and members of the Council.
- g) For the erection of any building or to purchase or lease of any building or the purchase of land required for the purpose of the Council and for rent, upkeep and furnishing thereof.
- h) For the organization of theatrical performances concerts, art shows, exhibitions, receptions, entertainment, excursion and any other activity that may enhance the aims and objects of the Council.
- i) The surplus funds of the Council which are not required for current expenses, may on the advice of the Finance Committee be invested by the Council in Government securities on fixed deposits or any other safe investment as approved by the Council and the Minister.

PART VII

Personal Liabilities of Members

- 20. Nothing in this Constitution shall confer any personal liability on the Chairman or members of officers of the Council in respect of any act or omission done by them in good faith and without negligence under the provisions hereof.

PART IX

Amendments to the Constitution

21. This Constitution may be varied or revoked by resolution of the Council at any meetings at which not less than two thirds of all the Council members' vote in favour of the resolution which shall become effect when it is approved by the Minister.

PART X

Winding Up

22. The Minister may at any time order that the business of the Council be wound up and the Council shall comply with such order within a period not exceeding twelve months from the receipt of the order in writing.
23. Any moneys or other assets or real personal property standing to the credit of the Council immediately prior to such winding up shall, after first satisfying all the creditors of the Council, be disposed of in such manner as the Council shall think fit.