

Nyalebe Community Development Association (CDA) Constitution adopted October 2007

THE PREAMBLE

WHERE as community collaboration is now a widely accepted norm and practice in all development initiatives leading to formation of governmental organizations, local non governmental organizations / community based organizations, for the realization of this concept;

REALIZING that community based organizations have a crucial role to play alongside government and the private sector in ensuring the disadvantaged and the privileged live a decent and peaceful healthy livelihood;

AWARE that community based organization can best fulfill their roles by participating in development processes to bring a hope plus life in the lives of the vulnerable and disadvantaged/less privileged especially the orphans;

THEREFORE WE the current members of the Nyalebe Community Development Alliance HEREBY ENACT THIS CONSTITUTION as the SUPREME LAW of our Organization.

CHAPTER ONE

PRELIMINARY

1. Interpretation

In this constitution unless the context otherwise requires:

- i. NYACODA Means Nyalebe Community Development Alliance
- ii. EC means Executive Committee
- iii. GM means General Meeting

2. Name of the organization:

The official name of the organization shall be called Nyalebe Community Development Alliance (NYACODA)

3. Headquarters:

1. The organization shall have its headquarters at Nyalebe Trading Centre or any other location that is publicly and officially declared the headquarters for the organization by the Executive Committee.

CHAPTER TWO

Goal and Objectives

4. Goal:

To have an empowered youth community with the skills and knowledge that will promote community livelihood through a strengthened rural economy.

Objectives:

To extend vocational training to rural and disadvantaged youth.

7. Specific Objectives

- To empower youth in the community by providing them with the necessary skills and knowledge to enable them to become self-reliant
- To enable stakeholders to appreciate the role of vocational institutions in the community and as part of rebuilding the nation
- To assist trained youth to become job creators rather than job seekers
- Bridging to continued vocational training.

CHAPTER THREE

MEMBERSHIP

8. Types of Members

1. There shall be the following categories of members.
 - i. Founder members
 - ii. Full members
 - iii. Associate members
 - iv. Honorary members
2. Founder members shall be life members after they have paid a lump sum of life membership fee of US \$64.50. But the Payment shall not stop them from making financial contributions for the sustenance of the Organization.
3. Full membership is open to anybody who makes application in a manner acceptable by the organization and pays a membership fee of US \$10 and an annual subscription US \$5 or life membership of US \$64.50 provided the Executive Committee/board considers the application favorable. Executive Committee/board shall determine the subscription and membership fee from time to time depending on the situation.
4. Associate members are Officers or members of other Organizations, Foundations, or Associations that have Agendas with similar interest and/or members who are in sympathy with the aims and objectives of NYACODA. They will use the privileges offered by NYACODA but will not vote.
5. Honorary member is a member elected as such by the Executive Committee in recognition of exceptional services rendered to the organization.
6. Any person recognized in any category of membership before the adoption of this constitution shall continue as a member in his/her respective category.

9. Rights and Obligations of Members

1. All members shall pay a minimum membership fee US \$10. However, the Executive Committee may reconsider the membership fee from time to time.
2. Every member shall be entitle to receive:
 - *One copy of each issue of the journal of the organization at a nominal (discounted) price and a free copy of the annual report, and*
 - *Have access to all the services offered by the organization*
 - *Copies of any publication and reports issues by the organization upon such terms as the Executive Committee shall determine.*
3. Ordinary members may consult the organization on their duties and may put in any memorandum in writing for consideration and action by the Executive Committee.

10. Termination of Membership

1. A member shall cease to be a member if:

- i. He/she resigns by giving notice in writing to the effect to the Secretary of the organization, or;
- ii.* Being an ordinary or associate member is in arrears with his/her annual subscription fee for *12 Months*, or;
- iii. If at a meeting of the organization, especially called for the purpose, it is resolved by a majority of not less than two third of those present and voting that his/her conduct is or has been prejudicial to the interest of the organization provided. Such member shall have not less than twenty one days notice in writing of such a meeting and an opportunity to submit to the organization personally or in writing an explanation of his/her conduct and Executive Committee is informed of the proposed action to be taken against such concerned, or;
- iv. If he/she becomes of unsound mind, or;
- v. If being an associate member is dismissed from the services to which he/she belongs. Provided that any such member may re-apply for membership after qualifying from the service and being life time member would continue to be honorary members subject to the approval of the Executive Committee, or;
- vi. If one is convicted by a court of law for a criminal offence for more than six months imprisonment.

11. Expulsion

1. The Executive Committee may expel from membership any member who willfully disobeys any of these articles, or persistently disregards the authority of the Chairperson or is guilty of any conduct rendering him unfit to be a member of the organization in the opinion of the Executive Committee, provided that before expelling such a member of the procedure laid down under termination of membership shall be complied with. Such a member if expelled shall not be eligible for re-admission for a period of one year after the expulsion.
2. On exit from the organization member losses all rights to his/her subscription and membership fees to the organization.

CHAPTER FOUR MEETINGS

10 General Meeting

This shall be the supreme organ whose functions shall be to;

1. Formulate policies of the organization;
2. Elect Executive according to provisions of this constitution;
3. Make final decisions on matters pertaining to the running of the organization;
4. Make amendments to the constitution where applicable.

11 Procedures at the General Meeting

1. The Patron shall preside at all General Meetings and in his absence the Vice-Chairperson shall preside.
2. The quorum at the General Meeting shall be one third of the members of the organization.
3. Questions proposed at the General Meeting shall be decided by consensus or simple majorities of the vote of the members present and in case of an equality of votes a task force committee has to be set up during that General Meeting to work out a compromise.
4. The Executive Committee may invite any person to attend any of the General Meetings as a consultant or observer and may co-opt any person to the General Meeting but such a person shall not vote on any matter before the General Meeting.
5. The Executive Committee is free to invite any guest speaker during the General Meeting to participate in the meeting.
6. Any member of the General Meeting having personal interest in any matter before the General Meeting shall declare the nature of interest. Except where the General Meeting decides otherwise, shall not take part in any discussion or vote on that matter and if the Patron directs, that person shall not withdraw from that Meeting.
7. For the purpose of casting votes during any General Meeting and subject to the provision of this constitution each member of the General Meeting shall have one vote.
8. Records of all the proceedings of the General Meeting shall be kept by the organization General Secretary.

12. Meetings of the Executive Committee:

1. The Executive Committee shall meet as often as business of the committee requires, to discharge its functions, but in any case it shall meet at least once in three months.
2. The Chairperson shall convene a meeting if a request of the meeting in writing addressed to him/her and copied to the Patron and signed by at least three members of the Executive Committee.

3. The Executive Committee shall meet at such time as determined by the Chairperson in consultation with the Patron.
4. The Chairperson or in his/her absence the vice shall preside at all the meetings of the Executive Committee and in absence of both, the members present shall elect one of the members present to preside.
5. Notice of the Executive Committee meeting shall be given to each member in writing at least seven clear days before the date of the meeting and shall include, as far as practicable the business to be translated at the meeting
6. Notice of the EC meeting shall be deemed to have been sent to each member if the records in the Chairperson's office certified by the Chairperson provide so, unless the contrary is shown.
7. The non-receipt of notice by any member shall not affect the validity of the proceeding of a meeting.
8. In case of an emergency, a notice calling the meeting shall be given at least one clear day before the meeting day.
9. One half of the members of the Executive Committee shall form a quorum at any meeting of the Executive Committee and if after thirty minutes from the time appointed for the meeting the quorum is not realized, the meeting shall stand adjourned.
10. On the date that the meeting is adjourned the meeting shall proceed to business notwithstanding that there shall be less than one half of the members of the Executive Committee.
11. Questions proposed at the Executive Committee meeting shall be determined by a simple majority of the members present at and voting on, in case equality of votes the person presiding shall have a casting vote.
12. Proper minutes of the deliberations of the meeting of the Executive Committee shall be recorded and shall be confirmed at the next meeting following and signed by the person presiding as the true proceeding of that meeting.
- 13 . Subject to this constitution the Executive Committee may regulate the proceeding of its meetings.

CHAPTER FIVE OFFICIALS OF THE ORGANIZATION

13 Categories

1. The officials of NYACODA shall be of three categories:

- i. Those elected by the General Meeting
 - ii. Those appointed/nominated by the Executive Committee
 - iii. Those employed by the organization
2. The elected officials come to office through general election by the General Meeting. The quorum for such a meeting must be at least two third of the registered members of the organization.
3. The appointed and/or employed officials come to office in accordance to the terms prescribed by the Executive Committee and passed by the General Meeting.
4. Terms of office shall be two years, but a member may be re-elected if the organization is convinced that he/she has served to their satisfaction.

14. Patron

There shall be a Patron to the organization appointed/nominated by the Executive Committee. He/she must be a person of high moral character and proven integrity.

15. Functions of the Patron

1. Will help to safeguard the aims and objectives of the organization.
2. Will oversee and monitor the running of the organization and advise on matters relevant to the existence and direction of its programs.
3. Shall play a planning and advisory role to Executive Committee.
4. Where an emergency occurs and there is no Executive Committee in place, the Patron may appoint a caretaker committee to carry out the functions of the Executive Committee until elections are held.
5. To establish and maintain relationships with national, regional and international institutions and agencies as may be appropriate for facilitation and carrying out the objectives of the organization.

16. Chairpersons

1. There shall be a Chairperson and a Vice Chairperson to the organization.
2. He/she shall be elected by a majority vote at the General Meeting from among the registered members of NYACODA and must be a person of high moral character and integrity.

17 Functions of the Chairperson

1. He/she shall be the Chief Executive of NYACODA and as such shall be responsible for:
 - i. Recording, or cause to be recorded, of all the minutes of the Executive Committee.
 - ii. May act in the absence of the Patron.

- iii. Initiate and lobby for funding of the organization from donors, and any other sources.
 - iv. Present the state of accounts to the General Meeting prepared by the Treasurer and approved by EC.
2. Preside over all the EC meetings

20. General Secretary

There shall be a General Secretary to the organization who shall be elected by the majority votes at the General Meeting. He/she must be a person of high moral character and integrity.

21. Functions of the General Secretary

1. Shall be a historian/custodian of the organization.
2. Shall issue or cause notice of meetings.
3. Shall sign with the Patron or Chairperson such instruments of the organization that require his signature.
4. Shall handle all correspondence.
5. Shall prepare the agenda of the General Meetings.

22. Treasurer

There shall be a Treasurer to the organization who shall be elected at the General Meeting by the majority vote. He/she must be a person of high moral character and integrity.

23. Functions of the Treasurer.

1. Will co-sign with the Chairperson and Programme Coordinator to the organization's bank account.
2. Shall be responsible for all the finances of the organization.
3. Present proposed budget to the Patron through the Executive Committee to the General Meeting.
4. Keep and maintain all books of account, prepare annual financial reports and balance sheet of the organization.
5. Ensure prompt collection of membership and subscription fee.
6. Shall be the head of the finance committee.
7. Monitor financial activities of the organization.
8. Advise the Executive Committee in good faith on matters pertaining to estimate and expenditure and other matters related to finance.

24. Programme Coordinator

There shall be a Programme Coordinator employed by the organization based on merit and on his/her academic qualifications. His/her role will include but not limited to the following:

1. The management of funds, projects, and property of the organization.
2. Head of all Programme activities and ensure proper implementation.
3. Implement the decisions of the Patron and the Executive Committee.
4. Carry out any other functions that may be conferred on the office by the Patron, Executive Committee or which is incidental to the above.
5. Develop and write proposals to lobby for funds and prepare briefs of the organization.
6. Sit in the executive meeting but with no vote

CHAPTER SIX COMMITTEES

24. The Executive Committee

1. There shall be the Executive Committee to the organization consisting of:
 - i. Chair person
 - ii. Treasurer
 - iii. Programme Coordinator
 - iv. And other four members who shall be elected from the registered members of the organization
 - v. The members of the Executive Committee shall be elected in the General Meeting.
2. A member of the Executive Committee:
 - i. May resign office by giving three months notice in writing to the Chairperson.
 - ii. May be removed from office by a resolution passed by two thirds of the majority members present and voting to his/her inconsistent conduct.
 - iii. Shall cease to hold office:
 - a) If certified by a competent authority to be mentally incapable.
 - b) If convicted of criminal offence punishable by courts of law
 - c) If he/she dies
4. The General Secretary shall be secretary to the Executive Committee and as such shall attend all meetings of the committee

25. Functions of the Executive Committee

1. To propose policy and with the consultation of the Patron, make plans for the NYACODA for submission to the GM.

2. Supervise and control the general management of the organization.
3. To supervise, evaluate and control the activities of NYACODA.
4. To advise the General Meeting and the Patron on the performance of their respective functions.
5. Shall approve work plans, budgets and submit statements of accounts to the Patron to present before the General Meeting.
6. Shall be responsible to convene General Meeting and extraordinary General Meeting and prepare agenda for the same as the Patron may direct.
7. The Executive Committee shall have powers to suspend any member whose conduct is inconsistent with the aims and objectives of NYACODA and shall report such action to the subsequent General Meeting that shall be convened within a period of the current year.
8. The fate of the suspended member(S) shall be determined in a General Meeting by a resolution passed by two thirds of the majority of the members present and voting to
 - Either; and/or
 - i. Discuss the member(s)
 - ii. Pardon the member(s)
 - iii. Dismiss the member(s)

CHAPTER SEVEN FINANCE OF THE ORGANIZATION

27. Financial Provision

NYACODA shall get its funds from:

- i. Membership and subscription fees;
- ii. *Grants, Gifts and Donations to the Organization;*
- iii. Fees, rent and other money paid for the services rendered by the organization;
- iv. Money received from the sales of NYACODA properties both movable and immovable;
- v. Money borrowed by NYACODA;
- vi. Money that may become payable to or vest in the NYACODA in any manner or in ratio or incidental to the carrying out of its objectives or which may be available to the NYACODA in the performance of its functions.

1. It shall be the duty of the Honorary Treasurer and or the person employed by the organization (Accountant) to collect, receive and deposit to the credit of the NYACODA in the bank approved by the Executive Committee, all funds of the NYACODA and to disburse the same as may be approved by the Chairperson of the Executive Committee.
2. The Programme Coordinator may use such sum as may be required by the Executive Committee to meet its discharge of the objectives of the organization.
3. The following officials shall be signatories to the NYACODA funds account in the Bank for the purpose of withdrawal of funds from the account:
 - i. Programme Coordinator
 - ii. Treasurer
 - iii. Chairperson
4. The *major/principal* signatory to the NYACODA funds account shall be the Programme Coordinator.
5. The Executive Committee shall determine the amount to be kept as petty cash by the Programme Coordinator.

28. Accounts Auditing

1. The Treasurer shall cause to be kept proper books of account and prepare the annual financial statements of account for the proceeding year.
2. The annual account shall be audited by external auditors appointed by the Executive Committee.
3. The Executive Committee shall submit to the General Meeting
 - i. The financial statement
 - ii. Reports on the operations of NYACODA
 - iii. The audited account
 - iv. Consolidated action plan
 - v. Any other information that may be supplementary to the above.

CHAPTER EIGHT PROVISIONS

29. Estimates

1. The Chairperson shall within a period to be specified by the Executive Committee prepare and submit to the Executive Committee estimates of income and expenditure of NYACODA for the following financial year.

2. No expenditure shall be made out of NYACODA funds unless the Executive Committee has approved the expenditure.

39. Investments

The Executive Committee may invest any funds of NYACODA which is not immediately required by the organization in such a manner as the General Meeting may approve.

30. Technical Service

The Executive Committee shall seek technical services from competent authority whenever it finds it necessary in the functions of the organization.

31. NYACODA Properties

1. All properties of the organization shall vest in Executive Committee.
2. All investments of the funds of the organization shall be made in the name of the Executive Committee.
3. The Executive Committee shall deal with the movable and immovable properties and the investment in such a manner as may be prescribed by the General Meeting.

32. Liabilities

1. No liability shall be incurred by or on behalf of the organization without the authority of the Executive Committee.

33. NYACODA Reports

1. The Programme Coordinator shall at the end of every financial year submit a report concerning the operations including financial reports and assets of the organization to the Executive Committee.
2. The Chairperson of the Executive Committee shall at the end of every financial year submit a report to the General Meeting.

34. Publications

1. The organization shall have its own publication including literature, periodicals or magazines and may conduct research as approved by the Executive Committee.

35. By-laws and Rules

1. The Executive Committee may make bylaws and rules, for the better performance and running of the organization.

2. The bylaws and rules made by the Executive Committee shall be presented to the General Meeting to be passed by a two-thirds majority.
3. The bylaws and rules may provide for terms of employment, recruitment and any other matters or issues, which are not provided for under this constitution.

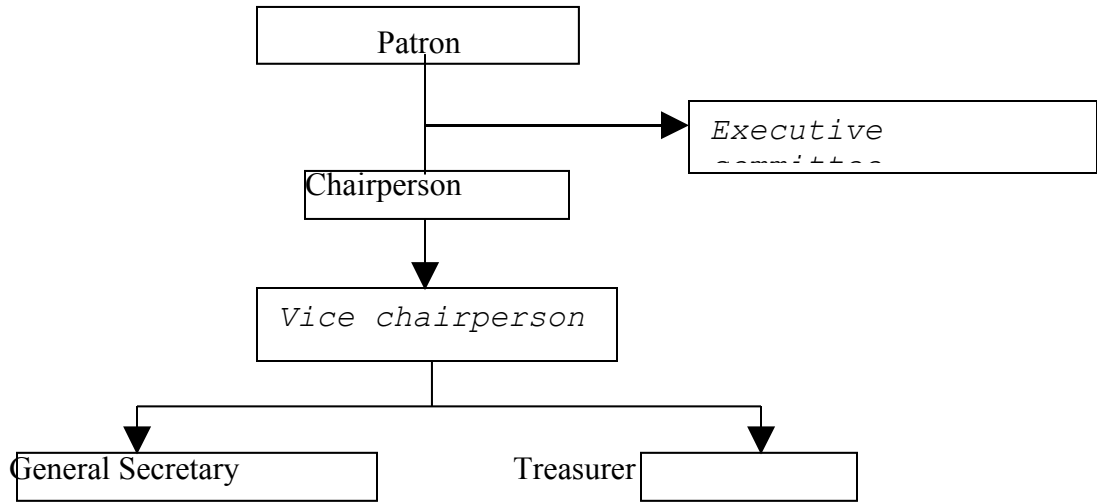
36. Amendment to the Constitution:

1. The constitution may be amended, altered or submitted by the General Meeting in resolution passed by a two-thirds majority of the members of the meeting and voting at a General Meeting or special General Meeting and confirmed at a subsequent General Meeting.
2. Proposal for an amendment, alternation or substitution of the constitution shall be sent to the Chairperson of the Executive Committee, supported by at least thirty percent of the registered members, at least two months before the General Meeting at which the resolution is to be passed.
3. Notice of a General Meeting in which the amendment, alternation, or substitution of the constitution is to be debated, including the agenda, shall be circulated in writing to the registered members of the organization at least one month before the date of the General Meeting.

37. Dissolution of the Organization

1. A motion for a resolution to dissolve the organization shall be circulated to members of the organization at least one month before the date of the meeting. At which it is to be debated and shall have to be by at least three-quarters of all the members of the General Meeting.
2. After a resolution is passed under clause 1 article 37 of this constitution, the Executive Committee shall apply the assets of the organization to discharge the liabilities of the organization. And shall pass the proceeds to the Patron who shall discharge the property by giving it to religious organizations, charitable organizations or organizations having similar objectives as the organization as the Executive Committee may decide.

THE EXECUTIVE COMMITTEE CHART



NB:

The number of program staff will be determined from time to time depending on areas of coverage and demand for the service.

We the undersigned members of this organization agree and subscribe to the constitution

Name:

Designation:

Sign:

1.

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2.

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3.

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4.

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Witnessed by:

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Stamp: