

# THE CONSTITUTION.

## THE VILLAGERS HOPE COMMUNITY BASED ORGANISATION

### PART I

#### **1. DEFINITIONS OF TERMS**

**Bank account-** refers to the bank account held in the name of The Villagers Hope CBO

**Effective date-** refers to the time and date when this constitution shall come into effect subject to the provisions of this constitution

**The CBO-** refers to the “The Villagers Hope”, a duly registered CBO under the ministry of East African Community, labor and social protection in the republic of Kenya.

**The organization-** refers to The Villagers Hope CBO.

**Youths-** is a collective name which shall refer to all the youths as defined in Article 260 of The Constitution of Kenya as well as all the school going students/pupils.

## 2. NAME

The name of the organization shall be **THE VILLAGERS HOPE CBO.**

## 3. OBJECTIVES.

- 3.1. To empower youth, women and people with disabilities economically.
- 3.2. To formulate projects that benefit the community.
- 3.3. To co-operate and assist projects, undertake capital investment programs.
- 3.4. To organize and carry out charity work on the less fortunate people in our communities.
- 3.5. To advocate for environmental protection.
- 3.6. To educate the community on social economic and life skills activities.
- 3.7. To carry out income generating projects for the members.

## 4. POWERS OF THE CBO.

- 4.1. The organization can raise and conduct appeals for money and accept subscriptions and donation to promote its aims and objectives.
- 4.2. The organization can purchase, take on lease, hire or otherwise acquire any real or personal property and can maintain and alter or modify any building structure under the CBO's management for purpose of the organization use.
- 4.3. The organization, if need be can employ full and or part time staff to fulfill the aims and objectives of the organization.
- 4.4. The organization can hold meetings, academic crusades, classes, training, lectures, seminars and workshop exhibitions.
- 4.5. The organization can join, lease with, establish or assist other organizations having similar aims and objectives.
- 4.6. The organization can publish books, reports, newspapers, leaflets and other documents of the organization.
- 4.7. The organization can hold bank accounts and in the name of the organization and make such payments as are necessary.
- 4.8. The organization can do all such other lawful things as are necessary and may be incidental to the furtherance of the organization's objectives.

## **PART II**

### **5. MEMBERSHIP AND MEMBERS' ELIGIBILITY.**

5.1. The organization is an open organization and the members are derived from all the youths in Kenya either by birth, or domiciled through dependence or have their permanent residence at Kenya, and the member must be willing to help achieve the CBO's objectives, is of good character and is known by at least 5 members of the Organization.

5.2. Upon payment of non-refundable registration fees of Ksh 100 (Kenya shilling one hundred only) Membership is open to a member who has satisfied the conditions set out in sub-clause (6.1) above.

### **6. RIGHTS OF MEMBERS.**

Members shall;

- 1) Elect and be elected to the organs of the Organization subject to The CBO's Constitution.
- 2) Enjoy the use of all facilities and services of the Organization subject to this constitution
- 3) Receive periodically and regularly or upon request a statement of account in respect of his/her transaction with the Organization
- 4) Access all legitimate information relating to the Organization including internal regulation, minutes, accounts inventories and investigation report
- 5) Vote on all matters put before a general meeting of the Organization.
- 6) All other rights prescribed by the rules of the Organization.

### **7. MEMBERS' OBLIGATIONS.**

1. Observe and comply with the organization's constitution and decisions taken by the organs of the organization in accordance with this constitution
2. Pay up contributions and any other payments as provided by this constitution
3. Support projects carried out by the organization, which are approved by the relevant authority.

## **8. CEASATION OF MEMBERSHIP**

- 8.1. A person shall cease to be a member of the organization through the following ways:
- a. Death of member
  - b. Withdrawing from membership subject to sub article 8.3
  - c. Unable to uphold with the regulations
  - d. Expulsion from the Organization
- 8.2. A member with no liability or outstanding obligation in respect of other member funds or loans (debts) may withdraw membership at any time and shall give a notice of sixty days
- 8.3. A member who wishes to withdraw but has a pending liabilities in forms of a debt owed to the organization shall have his/her share of funds in the organization used to settle the debt before any refunds

## **9. SUSPENSION FROM MEMBERSHIP**

The organization may suspend a member who;

- a) Willfully fails or fails to comply with the organization's constitution
- b) Willfully defaults in contribution and payments
- c) Convicted of criminal offences
- d) Act in anyway detrimental or prejudicial to the interest of the Organization
- e) Any other reason approved by an AGM or may be contained in the code of ethics of the Organization.

## **10. RESTORATION OF MEMBERSHIP.**

1. Membership of a member may be restored after payment of dues and approval by the governing Committee.
2. In certain cases, the governing Committee may if it is satisfied to restore its membership after assurance by the member that he/she shall not work against the interest of the organization.

**11. SOURCES OF ORGANISATION FUNDS.**

11.1. The following shall be the sources of the organization's fund

- a. registration fee
- b. Members contribution
- c. Any surplus resulting from the Organization operations
- d. Donations/grants.
- e. Loans from financial institutions.

11.2. All Organization funds shall be kept in the Organization's bank accounts.

**12. SIGNATORIES TO THE BANK ACCOUNTS.**

12.1. The signatories to the organization's bank account will be as follows;

- a) Members from the elected office bearers i.e. the chairman, the secretary or the treasurer.

12.2. Any of the two can sign in an event of any transaction on the bank account.

**13. REFUNDS.**

13.1. Withdrawal, expulsion or termination of membership shall not exonerate a member from existing personal or membership liability.

13.2. This being a non-profit organization, a member who withdraws or otherwise expelled from the Organization shall not be refunded any amounts.

13.3. Notwithstanding article 14.2 above a member shall be refunded any amounts advanced to the CBO either through loans or any other legal means and is due at the time of the members exit from the group. Such amount shall be paid after deductions of any debts owed by him/her to the Organization as a borrower or other sums held by the Organization on his/her behalf and subject to Article 8.3

### **PART III**

#### **14. GOVERNING BODY**

- 14.1. The organization shall be governed by a committee elected according to the provisions of this constitution.
- 14.2. The committee shall consist of 8 persons covering the following posts
  - a. The chairperson of the committee
  - b. The vice chairperson
  - c. The secretary to the committee
  - d. The treasurer to the committee
  - e. The organizing secretary to the organization
  - f. Three members of the committee

#### **15. DUTIES OF THE COMMITTEE**

- 15.1. Shall uphold the constitution.
- 15.2. Shall represent the organization in all matters and execute the policy and decision of the Organization.
- 15.3. Shall invite, nominate, accept, suspend, dismiss or restore the membership of the person(s) according to the provisions of membership in the constitution.
- 15.4. Shall approve progress reports.
- 15.5. Shall nominate any member(s) to fill the vacancy left by office bearers.
- 15.6. Shall approve reports, audited accounts and present them to the Organization for approval.
- 15.7. It shall fix date, time and place for holding general meeting as and when due.
- 15.8. Shall maintain a register of members and up- date it.
- 15.9. Shall make rules which shall be used addressing and effecting the organizations policies.

## **16. ELECTION AND DUTIES OF THE OFFICE BEARERS**

### **16.1. CHAIRMAN**

- a) The chairman shall be elected by registered members from among the registered members and whose overall performance to the organizations activities is up to date and with specific regards to his/her financial record and attendance record to the Organization meetings
- b) The chairman will preside over all the meetings unless prevented by illness or other sufficient cause.

### **16.2. SECRETARY.**

- a) The eligibility for an election to the office of the Secretary to the committee shall be the same as that of the chairman.

The secretary's duties shall be

- a. Records all the Organization's correspondence
- b. Reads the previous minutes
- c. File all records.

### **16.3. ORGANIZING SECRETARY.**

- a) The organizing secretary shall be responsible for the coordination of the organizations activities which are aimed at fulfilling the objectives of the organization
- b) The Organizing Secretary will assist the secretary and coordinate all the activities as will be assigned from time to time.
- c) Will perform all the duties of the secretary in his/her absence.

### **16.4. TREASURER.**

The treasurer shall receive and also disburse, under the directions of the committee, all monies, belonging to the Organization and shall issue receipt for all monies on behalf of the organization and also ensure to the members that proper books of accounts of all monies received and paid by the organization are written up, preserved and available for inspection.

## **PART IV**

### **17. MEETINGS.**

#### **17.1. MEETING OF THE MEMBERS**

- a) The members shall be having a meetings in the months of April, August and December
- b) If a member fails to attend two consecutive meetings without apologies, he/she can be expelled from the Organization unless due to special cases which may be allowed by the Committee
- c) All scheduled meetings should start at a time which shall be determined by the Committee. Arrival after thirty minutes into the meeting attracts a penalty of Ksh 50. Absence without valid reason will attract a penalty of Ksh100.
- d) However, the committee shall have the power to call a meeting at any time of the year should there be compelling reasons to do so.

#### **17.2. MEETINGS OF THE COMMITTEE**

- a. The committee shall have meetings at the times which they themselves shall determine subject to clause 17.2 (b)
- b. The committee must ensure that they meet at least once in two months and give a report of their meetings in the Quarterly meetings of the members

#### **17.3. AGM**

An AGM will be held once a year at a date set by the committee. The treasurer will give statements of accounts to the organization.

#### **17.4. SGM**

There can be an SGM in case of any unforeseen occurrence. This will be constituted by the committee with the office chair presiding.



## **PART V**

### **18. CONTRIBUTIONS.**

1. Nonrefundable registration fee of Ksh 100 paid once.
2. Members shall contribute a quarterly fee of Ksh 200.
3. If there be any deficit in carrying out the organizations duties, the Organization through the committee may arrange for a funds drive or engage the members in a contribution to meet the organization's demand.

## **PART VI**

### **19. ELECTIONS.**

- 19.1. Elections to be held at AGM or a SGM
- 19.2. A member shall be elected by two third majority. The elections shall be presided over by the governing council.
- 19.3. Elected officials shall hold office for two years and maximum of two terms.

## **PART VII**

### **20. DISOLVING THE ORGANISATION**

The Organization can be dissolved by three quarter majority agreement after the Organization accounts are consensually settled.

### **21. TRANSITIONAL PROVISIONS**

- 21.1. This constitution shall come into effect on the date and as at the time of the signing of the declaration clause
- 21.2. The committee stipulated under Part III shall commence their duties as at the time when this constitution comes into effect.
- 21.3. The contributions under part V shall be made after the coming to effect of this constitution
  - 21.3.1. In case of any contribution made before the time this constitution comes into effect, the contribution shall be taken to have been made after the effective date

**22. AMMENDMENTS TO THIS CONSTITUTION**

**22.1. Institution of an amendment**

Any member can institute a claim for an amendment of this constitution. Such claim shall be made to the committee or in an AGM or in a SGM.

**22.2. Procedural requirements**

After a claim for an amendment has been deposited, the executive shall deliberate on the claim and approve it.

After approval, the executive shall call either an SGM or an AGM and all members shall discuss on the proposed amendment.

An amendment shall only be done if supported by more than two-thirds of the registered members.

**DECLARATION.**

This document has been formulated and agreed upon by all members of The Villagers Hope. It will be the authoritative guidance on the running of the Organization affairs.

Chairman-----Sign-----Date-----

Secretary-----Sign-----Date-----

Official Member-----Sign-----Date-----

