

THE CONSTITUTION

OF

MBALE COALITION AGAINST POVERTY

DRAWN BY: _____

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CONSTITUTION OF MBALE COALITION AGAINST POVERTY

PREAMBLE:

WE, THE SEVERAL PERSONS of Bugisu Region comprising the districts of Mbale, Manafwa and Bududa have realized that the experiences of diseases, poverty, wars, natural and man made disasters in Uganda have left many people in situations of pathetic deprivation and vulnerability,

NOTING that absolute poverty has caused vulnerability among children, youths, women, men in special circumstances who live under absolute poverty, ignorance and diseases,

HAVING discovered that our efforts are hindered by lack of information, co-ordination and other forms of essential support for us to effectively empower the persons living in the communities of Bududa, Manafwa and Mbale districts to initiate productive socio- economic activities for elimination of poverty among them and,

PERSUADED that we could better address the absolute poverty faced by people living in Mbale, Manafwa and Bududa districts through this coalition,

NOW THEREFORE we, the founding members of Mbale Coalition Against Poverty hereby resolve to reduce absolute poverty, ignorance and diseases among our people and set ourselves the vision, mission and objectives enshrined in this Constitution through co-ordination, sharing information and other forms of support.

WE DO HEREBY adopt the guiding philosophy of good governance in executing all our duties do solemnly enact this interim Constitution of Mbale Coalition Against Poverty, this 5th day of March in the year of our Lord AD 2007.

ARTICLE I: ESTABLISHMENT, REGISTERED OFFICE AND ADDRESS.

- 1 The name is Mbale Coalition Against Poverty hereinafter referred to as "Mbale CAP"
- 2 Mbale CAP is founded in the Republic of Uganda by persons designated and hereinafter referred to as the founder members whose signatures are appended
- 3 The registered office of Mbale CAP shall be located in the Republic of Uganda.
- 4 Mbale Coalition Against Poverty is a Coalition of Foundation for Development of Needy Communities, Share An Opportunity and Uganda Women Concern Ministry which are indigenous Non-governmental Organisations and local governments of Mbale, Manafwa and Bududa districts.

ARTICLE II: THE VISION OF MBALE CAP

The vision of Mbale CAP shall be "empowered people free of poverty."

ARTICLE III: THE MISSION OF MBALE CAP

The mission of Mbale CAP shall be "to eradicate poverty among the people through sustainable partnerships. "

ARTICLE IV : THE OBJECTIVES OF MBALE CAP

The objectives for which Mbale CAP is formed are:-

1. To develop, maintain and strengthen partnerships as a channel through which essential resources are mobilized.

2. To provide capacity building to enhance good governance, knowledge, skills and provision of cottage industries.
3. To reduce morbidity and mortality through community care initiatives and prevent HIV/AIDS, malaria and tuberculosis.
4. To mainstream environmental, gender, HIV/AIDS issues among the people in community development and disaster preparedness issues.
5. To support, improve and promote sustainable productivity.
6. To encourage and support communities to establish resource centres for provision of information, communication, education and recreation facilities.
7. To increase access to safe water and sanitation facilities and provide adequate water for production.
8. To engage in such other lawful activities for advancement of Mbale CAP within the provisions of this Constitution.

ARTICLE V :THE GUIDING PHILOSOPHY

Mbale CAP shall be guided by the philosophy of good governance in pursuing its mission.

ARTICLE VI : MEMBERSHIP

1. Membership shall include founding Non-Governmental Organisations, corporate bodies, affiliate and local governments.
2. Any member whose membership is approved shall thereafter be issued with an official certificate.
3. The Annual General Meeting shall create different categories of membership when it deems it necessary
4. Termination of Membership: Any member may voluntarily cease to be a member, giving a written notice to the Chairperson and the name of the member shall be struck off from the membership register after a period prescribed by the Annual General Meeting after receipt of the notice.

ARTICLE VII: THE ANNUAL GENERAL MEETING

- 1.0 There shall be the Annual General Meeting hereinafter referred to as “ **The AGM**”
And it shall comprise of all the registered members and partners of Mbale CAP represented by their nominated members.
Each member of Mbale CAP shall be representated by a maximum of five of their nominated members at its Annual General Meeting.
- 2.0 **Powers and Functions of the Annual General Meeting.**
- 2.1 Shall be the supreme authority in decision making in all matters of policy and by-laws which affect Mbale CAP.
- 2.2 Shall determine the vision, mission, objectives and purposes of Mbale CAP.
- 2.3 Shall determine categories and requirements of the members of Mbale CAP.
- 2.4 Shall consider policy and other recommendations of the Executive Committee.
- 2.5 Shall approve the strategic plans and budgets presented by the Executive

- 2.6 Shall consider annual reports, audited accounts and appoint Auditors.
- 2.7 Shall appoint Trustees of Mbale CAP.
- 2.8 Shall have final powers to amend the Constitution of Mbale CAP.
- 2.9 Shall have powers to determine the assets of Mbale CAP.
- 2.10 Shall perform such other functions as are permitted under the provisions of this Constitution.

ARTICLE VIII: THE EXECUTIVE COMMITTEE

- 1. There shall be the Executive Committee hereinafter referred to as **“The Executive”**
- 2 There shall be sitting on the Executive one authorized representative from each founding Non-Governmental Organization, Mbale Regional Hospital, selected University and the three Chief Administrative Officers from member local governments,

5.0 Functions of the Executive Committee.

- 5.1 Will co-ordinate, monitor and liaise with partners locally and internationally
- 5.2 Will recruit, fix emoluments and determine terms and conditions of service of staff.
- 5.3 Will appoint sub-committees from time to time to undertake specialized functions and report to the Executive.
- 5.4 Will carry out other functions which the Annual General Meeting may determine from time to time under the provisions of this Constitution.

6.0 The Chairperson

The Chairperson shall be elected on rotational basis from among the Chief Administrative Officers (CAOs) for a period of three years from member local governments at the Annual General Meeting.

The Chairperson shall be responsible to the Annual General Meeting in ensuring that Mbale CAP pursues its mission, objectives and functions as defined in this Constitution.

- 6.1 He shall preside over the meetings of the Annual General Meeting and the Executive.
- 6.2 He shall act as an overseer of the work of the committees of Mbale CAP.
- 6.3 He shall be signatory to all accounts of Mbale CAP.
- 6.4 He shall perform any ceremonial duties, which the Executive may call him to do.
- 6.5 He shall carry out any other duties entrusted to him by Annual General meeting or by the Executive.

7.0 The Secretary

- 7.1 Shall be the appointed Programme Coordinator
- 7.2 He shall keep records and minutes of the Annual General Meeting and Executive, furnishing the members with copies of the same.
- 3.4 He shall handle all Mbale CAP’s correspondences.
- 3.5 He shall consult with the Chairperson and fix agenda and date of the meeting of the Executive and send notices of the meetings to all the members.
- 3.6 He shall handle and keep the documents of Mbale CAP in safe custody.
- 3.7 He shall prepare and present to the Executive strategic plans, budgets and reports.
- 3.8 He shall receive all the funds of Mbale CAP and give official receipts for the same.

- 3.9 He shall be a signatory to all accounts of Mbale CAP.
- 3.10 He shall disburse money as authorized by the Executive in accordance with the budget approved by the Annual General Meeting
- 3.11 He shall ensure the keeping of proper financial records of the income and transactions
- 3.12 He shall perform any other duties as may be assigned to him by Annual General Meeting and the Executive from time to time.

ARTICLE IX: TERMINATION OF THE EXECUTIVE COMMITTEE MEMBERS:

- 1 A member of the Executive Committee shall be disqualified from being a member or holding office if it is shown that he has ceased to assent to the objects set out in this Constitution or if he is proved to have been guilty of an immoral act and fraud or deriving an improper personal benefit from the management of the affairs of Mbale CAP.
- 2 Failure to maintain the oaths of secrecy and allegiance constitutes reasons for removal of a member from holding office on the Executive
- 3 Any one who is absent from three consecutive meetings of the Executive will result in his removal from the Executive.
- 4 Any member of the Executive may be removed from office by 2/3 vote of the Executive.
- 5 Any person proposed to be disqualified or removed under the provisions of this Constitution shall be notified of the meeting or meetings at which his disqualifications or removal is to be discussed and shall have the right to attend the meetings and make representation on his own behalf.

ARTICLE X: THE OATHS OF SECRECY AND ALLEGIANCE

Every person on becoming a member of either, the Executive, Trustees or staff shall swear the oath of secrecy and allegiance to Mbale CAP.

ARTICLE XI: MEETINGS.

1.0 Frequency

- 1.1 The Executive Committee shall meet at least four times a year in ordinary sessions, while the Annual General Meeting shall meet in ordinary sessions at least once a year.
- 1.2 Both the Executive Committee and Annual General Meeting may hold special or extra-ordinary meetings to consider urgent matters of the Mbale CAP

2.0 Quorum

The quorum of both the Executive Committee and Annual General Meeting shall be 2/3 of voting members.

3.0 Notice

- 3.1 Notice of the ordinary meetings of the Executive Committee shall be seven (7) clear days while that of the Annual General Meeting shall be thirty (30) clear days.
- 3.2 Notice of extra-ordinary or special meetings of the Executive Committee and Annual

General Meeting shall be called upon any time of notification as long as the quorum shall be realized.

4.0 Employees and Official Meetings

- 4.1 The Programme Co-ordinator shall be the Secretary to the Executive Committee and Annual General Meeting.
- 4.2 Employees of Mbale CAP may be invited to attend meetings of the Executive Committee Annual General Meeting.
- 4.3 Government line ministry officials and other special guests may be invited to attend and contribute ideas at meetings of the Executive Committee and Annual General Meeting.

ARTICLE XII: MEMBERS REGISTER

Mbale CAP shall keep correct and complete register of:-

1. Approved registered members with their addresses.
2. Members of the Executive Committee.
3. The minutes of the proceedings of the Executive Committee and Annual General Meeting of Mbale CAP.
4. The assets of Mbale CAP.
5. Books of account.
6. Supporters, partners and donors with their names and addresses.

ARTICLE XIII: FINANCES

1. The Executive committee shall raise finance for organization through the following: membership fees, annual membership subscriptions, training fees, rents and levies, fundraising activities, donations, grants, sale of services, loans and royalties.
 2. The Annual General Meeting shall approve the sources of acquisition of finances and the procedures pertaining thereto.
 3. Finances and other non-monetized items acquired shall be the property of and be kept and used by Mbale CAP on trust for the communities.
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- 4.0 **Banking**
 - 4.1 Mbale CAP shall operate bank accounts in its names in any of the commercial banks the Executive may choose in the Republic of Uganda.
 - 4.2 All finances shall be deposited promptly in Mbale CAP accounts.
 - 4.3 The bank accounts shall be operated by three signatories, the Chairperson, Secretary and one member from Mbale Partnerships Overseas Networking Trust hitherto referred to as "Mbale PONT" or as the Annual General Meeting may direct.
 - 4.4 The Project Co-ordinator shall take charge of all secretarial, financial, management and accounting duties and functions of Mbale CAP and shall be accountable to the Executive Committee. The Project Co-ordinator shall prepare and present work plans, monthly, quarterly and annual reports to the Executive Committee.
 - 5 The financial year of Mbale CAP shall run from 1st January to 31st December.

ARTICLE XIV: STAFF

The Executive Committee shall recruit, determine, set terms and conditions of service of all staff of Mbale CAP.

ARTICLE: XV SETTLEMENT OF DISPUTES

1. All disputes that may affect the operations of Mbale CAP shall be determined and settled by the Executive or the Annual General Meeting or Trustees as may be found necessary, and in accordance with the objectives of the Constitution.
2. All cases of criminal nature shall be determined and settled in accordance with the laws of the Republic of Uganda.

ARTICLE XVI: ASSETS AND INSTRUMENTS

1. Mbale CAP shall own, receive and operate movable and immovable assets.
2. Mbale CAP have a logo, stamp and a seal as the Executive shall decide.

ARTICLE XVII: AMENDMENT

- 1.0 Any addition, alternation or amendment to or in this Constitution shall be subject to approval by a vote of not less than a 2/3 of the members present at an ordinary or extra-ordinary Annual General Meeting.
- 2.0 All additions, alterations or amendments shall be determined by the Executive Committee and shall be approved by the Annual General Meeting.

ARTICLE XVIII: DISSOLUTION

Mbale CAP shall have perpetual existence and shall only be dissolved after achieving its vision, mission and objectives and or as it shall be deemed necessary by 2/3 of the voting members at the Annual General Meeting at which all assets and liabilities shall be determined.

ARTICLE XIX: THE NATURE OF THIS CONTITUTION

- 1.0 This Constitution is of Interim Nature for a prescribed period of six(6) months
- 2.0 This Contitution is adopted for this interim period and shall remain in force and serve the purpose until it is adopted by a special meeting the date, time and venue of which shall be determined by the Annual General Meeting.

ARTICLE XX: INTERPRETATION.

In this Constitution, the words found in the first column of the table hereunder shall bear the standard interpretation set opposite to them respectively in the second column thereof, if not inconsistent with the subject of context as follows:-

Words	Interpretation
1. Organisation or Society:	Mbale Coalition against Poverty
2 Partnership:	Collaboration with one or more groups with shared common objective
3 Coalition:	Coming together of NGOs, local government and international communities to fight poverty
4 Good Governance:	Non-discrimination, transparency, accountability and participation of communities.
5. The Annual General Meeting:	The supreme decision making body as set out in this Constitution.
6. The Executive Committee:	A policy implementing organ.
7. The Organ:	Either the Annual General Meeting or Executive Committee.
8. The Chairperson:	The Chairperson of either the Annual General Meeting or Executive Committee.
9 Trustees:	A body of distinguished persons entrusted with the properties of Mbale CAP.
10. The Secretary:	The Secretary of both the Annual General Meeting or the Executive Committee.
11 Poverty:	Limitation and or absence of socio-economic amenities.
12. Development:	Growth or progress of an individual or community in socio-economic well being resulting in functioning more efficiently.
13. Community:	A group of people living together in a given environment and or united by shared interests and or identities.
14. Evaluation:	An assessment of performance against objectives at a particular point in time or after the completion of a given project.

15. Appraisal: A critical assessment of the relevance, feasibility and potential effectiveness of a project on the basis of financial, social, human resource, technical and environmental consideration.
16. Orphan: A child who has lost both father and mother or has lost only one parent by death increasing his vulnerability needing special care and protection.
17. Vulnerable persons: All persons of varying ages in need of care and protection in a given community.
18. HIV Human Immunodeficiency Virus
19. AIDS Acquired Immune Deficiency Syndrome

ARTICLE XXIV: ADOPTION OF THE CONSTITUTION

WE THE FOUNDING MEMBERS WHOSE NAMES, ADDRESSES AND SIGNATURES APPENDED HEREUNDER ARE DESIROUS OF BEING FORMED INTO MBALE COALITION AGAINST POVERTY IN PURSUANCE OF THIS INTERIM CONSTITUTION.

NO.	NAME OF FOUNDING ORGANISATION	AUTHORISED REPRESENTATIVE	ADDRESS	SIGN.
1.	MBALE DISTRICT LOCAL GOVERNMENT	MR. BERNARD MUJASI LC V CHAIRPERSON	P.O.BOX 931 MBALE(U)	
		MR. STEPHEN OUMA CHIEF ADMINISTRATIVE	PO BOX, 931 MBALE (U)	

		OFFICER		
		MR. FABIAN J WAKHOLI ASSISTANT COMMISSIONER OF EDUCATION	P.O BOX 701, MBALE (U)	
		DR. FRANCIS ABWAIMO DISTRICT IRECTOR OF HEALTH SERVICES	P.O BOX 931, MBALE (U)	
2	SHARE AN OPPORTUNITY	REV. APOLLO MWENYI BOARD CHAIRPERSON	P.O BOX 1332, MBALE(U)	
		MR. RICHARD OKOTEL REGIONAL PROJECT CO- ORDINATOR	P.O BOX 1332, MBALE(U)	
3.	FOUNDATION FOR DEVELOPMENT OF NEEDY COMMUNITIES	MR. SAMUEL WATULATSU CHIEF EXECUTIVE OFFICER	P.O BOX , 2431 MBALE (U)	
		MRS. ELIZABETH MABONGA BOARD CHAIRPERSON	P.O BOX , 2431 MBALE (U)	
4	UGANDA WOMEN CONCERN MINISTRY	MRS. EDITH MARY WAKUMIRE EXECUTIVE DIRECTOR	P.O BOX 1820, MBALE (U)	
		MRS. JANET SOOBI BOARD CHAIRPERSON	P.O BOX 1820, MBALE (U)	
5	MBALE REGIONAL HOSPITAL	MR. HENRY M LWIGALE HOSPITAL ADMINISTRATOR	P.O BOX 921, MBALE (U)	
		DR. VINCENT OJOOME MEDICAL SUPRENTENTEND	P.O BOX 921, MBALE (U)	

DATED AT MBALE THIS.....DAY OF ...IN THE YEAR OF OUR LORD AD 2007

APPENDIX I: THE FOUNDER MEMBERS LIST

NO.	NAME OF FOUNDING ORGANISATION	AUTHORISED REPRESENTATIVE	ADDRESS	SIGN.
1.	BERNARD MUJASI MBALE DISTRICT LOCAL GOVERNMENT	BERNARD MUJASI	P.O.BOX 931 MBALE(U)	
2	PARTNERSHIPS OVERSEAS NETWORKING TRUST (PONT UK)	GEOFF LLOYD	UK	

3	PARTNERSHIP OVERSEAS NETWORKING TRUST (PONT UK)	DEWI HUGHES	UK	
4	SHARE AN OPPORTUNITY/ MBALE PONT	APOLLO MWENYI	P.O BOX 1332, MBALE(U)	
5	PARTNERSHIP OVERSEAS NETWORKING TRUST (PONT UK)	ROBERT ROWLANDS	UK	
6	FOUNDATION FOR DEVELOPMENT OF NEEDY COMMUNITIES/ MBALE PONT	SAMUEL WATULATSU	P.O BOX , 2431 MBALE (U)	
7	UGANDA WOMEN CONCERN MINISTRY/ MBALE PONT	EDITH MARY WAKUMIRE	P.O BOX 1820, MBALE (U)	
8	CHIEF ADMINISTRATIVE OFFICER, MBALE DISTRICT LOCAL GOVERNMENT	STEPHEN OUMA	PO BOX, 931 MBALE (U)	
9	ASSISTANT COMMISSIONER FOR EDUCATION	FABIAN J WAKHOLI	P.O BOX 701, MBALE (U)	
10	DISTRICT DIRECTOR OF HEALTH SERVICES, MBALE DISTRICT	FRANCIS ABWAIMO	P.O BOX 931, MBALE (U)	
11	MBALE REGIONAL HOSPITAL	HENRY M LWIGALE	P.O BOX 931, MBALE (U)	