1 SMILE WOMAN OF AFRICA COMMUNITY BASED ORGANIZATION

Constitution

1.1CHAPTER ONE : THE NAME OF THE GROUP

a) The name of the organization shall officially and legally be: **SMILE WOMAN OF AFRICA ORG.** Hereinafter indicated as Community Based Organization.
b) **Location;** The group is situated in Busia Sub County, Township Division, Township Location, Township sub –location and Mjini village. _ P.O Box 70-50400 Busia
c) The constitution shall be binding to all members and officials of the group
d) **Areas of operation;** will include But not be limited to, Busia County; Matayos Sub county, Funyula Sub county, Bunyala Sub county, Butula Sub county, Namabale Sub county, Teso North Sub county and Teso South.

1.2CHAPTER TWO: AIM OF THE GROUP; VISION, MISSION, MOTTO, CORE VALUES

VISION: To alleviate poverty and improve the welfare of needy and vulnerable members of the society.

MISSION: Empower members of the society with practical knowledge and skills for their social and economic sustainability.

CORE VALUES: Passion, commitment, Effectiveness, Excellence, Integrity and Accountability

MOTTO: **Bettering lives creating smiles**

1.3 CHAPTER THREE – OBJECTIVES

- Empowering families and youths through skill development and trainings in various fields
- To sensitize the community on HIV/AIDS control
- To sensitize youths/teenagers in schools on menstrual hygiene and reproductive system
- Promote environmental conservation and modern Agricultural practices
- Advocate for gender mainstreaming and gender based violence
- Advocate for, and implement children's and human rights
- Facilitate affordable micro-credit facilities towards livelihood projects to the grass root communities.
- To facilitate acquisition of entrepreneurial knowledge and skills to women and youths for effective involvement in livelihood projects.
- To support access to markets for products and produce from women's livelihood projects

1.4 CHAPTER FOUR – ACTIVITIES

i. Community sensitization on HIV/AIDS control
ii. School mentorship grogram
iii. Table banking

iv. Train on Merry Go-round different approaches
v. Community sensitization on HIV/AIDS control
vi. Support orphans and poor children
vii. Advocate for gender mainstreaming and gender based violence

1.5 CHAPTER FIVE – MEMBERSHIP

i. Any adult aged 18 years and above in legal occupation shall be eligible for membership of the CBO and shall on application and subject to the approval upon the committee become a member upon payment of a non-refundable fee of Kshs 1000.00
ii. Every member shall pay monthly subscription fee approved at the proceeding AGM not later than 15th day of each month
iii. Any member who falls into arrears of monthly subscription for more than three months shall automatically cease to enjoy any benefits of the group and may be struck off the register. The board of management may however at its discretion re-instate such a member on payment of the outstanding arrears.
iv. Any member desiring to resign from the group shall submit resignation in writing 2 weeks from the date of receipt by the secretary of such notice but not subject to deliberation and approval by the board of management
v. The committee shall have power to suspend a member from membership till the next General meeting following such suspension, but a member whose expulsion is contemplated, shall have the right to address the meeting at which his/her expulsion can be considered.
vi. Any member may be expelled from membership if the committee so recommends and if a general meeting of the group shall approve by simple majority of members present. That such a member shall be expelled on ground of his/her conduct.
vii. The board of management shall at all costs observe the rules of nature and justice (i.e. NO one shall be condemned without being heard)

INVALIDATION:

- A member may be invalidated by voluntary resignation, death, having or been declared mentally sick. On such circumstances, 100% refund shall be paid to his/her next of kin.
- Every member shall submit 2 names of next of kin.

1.6 CHAPTER SIX – GROUP DESCIPLINE

All members shall be expected to respect each other. Fines and penalties will be charged to members who violate the rules and regulations as agreed below.

i.	Lateness fine	Kes.	50.00
ii.	Absent without apology	Kes.	100.00
iii.	Bad language in the group	Kes.	100.00
iv.	Failure to keep group secrets	Kes.	100.00

v. The group will reward members with good conduct every year during the AGM.

1.7 CHAPTER SEVEN – GROUP FUNDS/LOANS

i. Sources of group funds shall be ; Membership fee, Interest accruals, resource mobilization, income generating activities, donations from well-wishers/government, grants
ii. The group shall have projects' sub-committee and loans' sub-committee
iii. All members shall be required to contribute an agreed fee as shares.
iv. A member will be entitle to twice his/her shares
v. An application form shall be dully filled for any loan to be granted
vi. Repayment of loan shall be done on monthly basis
vii. An interest rate of 10% per annum shall be charged
viii. Loans shall be issued to registered members only
ix. A member must present guarantor before receiving the loan
x. If a member fails to pay loan, the account shall be frozen and legal action taken against him/her

A. FINANCIAL MANAGEMENT

- There shall be a bank account belonging to the group
- Funds of the group shall only be used for the purpose of carrying out the objectives of the group.
- No payment shall be made out of the bank without a resolution of the committee authorizing such payments and all cheques shall be signed by the treasurer and other signatories
- THE COMMITTEE shall have powers to suspend any office bearer when it has reasonable causes to believe is not properly accounting for any of the funds or property of the group

B. DONATIONS

- Any kind of donations from well wishers or the government shall be shared proportionally to the member's shares Any kind of donations from well wishers or the government shall be shared proportionally to the member's shares contribution

C. BANK SIGNATORIES

Signatories to the bank account shall be

- Chairperson
- Secretary
- Treasurer.

1.8 CHAPTER EIGHT – DISPUTE RESOLUTION

Any dispute between members or committee shall be solved in the following manner;

i. There shall be a committee of five eminent persons nominated by fully paid up members
ii. A SPECIAL GENERAL MEETING Be called for specific purpose by the committee
iii. A Special General Meeting may also be requisitioned for a specific purpose, in writing to Secretary by not less than 25% of registered members and such meeting shall be held within fourteen (14) days of the date of requisition and dissolute resolution committee shall likely hold such a meeting.
iv. Notice in writing of such a meeting shall be sent to members/involved parties not less than fourteen (14) days of the date of the meeting

v. The Committee shall on receipt of the complaint consider its merits and demerits and will give notice in writing to the complainant and the member of the committee or the complaint is directed that it has been received. A copy of the compliant shall be given to the person whom it has been directed requiring the complaint to be answered within a specific time.

vi. The committee shall at all costs observe rules of nature and justice (no one shall be condemned without being heard)

vii. The committee shall consider the complaint and the response shall have power to do the following
- To dismiss the complaint
- Recommend the group to take action in accordance with circumstances of the case

viii. The decision of the dispute Committee shall be by simple majority and will be in writing and signed by the Committee members supporting it

ix. The decision of this Committee will be binding and final.

1.9 CHAPTER NINE – TENURE OF OFFICE/ELECTIONS OF THE OFFICE

i. The office bearers shall be liable to stay in the office for a period of two (2) terms from the date of elections stipulated otherwise

ii. In the event of expiry of the current office holders term, the chairman shall direct the Secretary through writing to call for executive committee meeting in which elections agenda shall be discussed exhaustively with a decision on convening an annual General Meeting for the purpose of conducting elections

iii. Shall the secretary fail to act as directed within the period, then the chairman shall be empowered to write directly to the executive committee members calling the said meeting

1.10 CHAPTER TEN – GROUP MEETINGS

There shall be the following meetings:-

- Annual General meeting
- General meetings
- Special General meeting

A. ANNUAL GENERAL MEETING

- This shall be a yearly meeting
- Notice in writing of such AGM accompanied by the annual statement of account and the agenda for the meeting shall be sent to all members not less than twenty one (21) days before the date of the AGM
- The agenda of the AGM shall consist of the following.
    - Confirmation of the previous AGM minutes
    - Chairperson's report and Secretaries report
    - Treasurers financial report accompanied by certified copies of expenses and other relevant copies
    - Election and nomination of specific office bearers and other (4) four committee members
    - Any other business with approval of the chairman
    - Quorum shall be ½ of the registered members

B. GENERAL MEETING

- This shall be conducted ones every month depending on the programs of the day.
- Quorum shall be ½ of the committee

C. SPECIAL GENERAL MEETING

- SGM shall be called for any specific purpose by the committee
- SGM may also be requisitioned for a specific purpose in writing to the secretary by not less than (25%) Twenty five percent of the registered members and such meeting shll beheld within (14) days of the date of requisition
- At such a meeting no other agenda will be discussed other than stated in the requisition
- Such meetings shall be held when
  - Solving disputes
  - Reconciliation
  - Any Other Business
- The dispute resolution committee shall likely hold such a meeting

D. PROCEDURE OF THE MEETINGS

- The chairperson shall chair all meeting and incase of his/ her absence, the vice chairperson or in the absence of the two any other official appointed shall chair the meeting
- Resolution reached at the meeting shall be binding to all members of the group
- Incase of equality of votes, then the chairperson will have a second or casting of votes
- The meeting shall have powers to take necessary action against an official or any member
- T he secretary shall take minutes and incase of his/her absence the assistant secretary shall take minutes or in the absence of the two any other official appointed shall take minutes.
- T he chairperson may at his/her discretion limit the members or persons to speak in favour of and against any motion

1.11 CHAPTER ELEVEN – BENEFITS TO MEMBERS

- Dividends shall be paid to fully paid up members only
- Any amount agreed upon by members shall be paid to them annually from part of profits realized from investments made, proportionally to members' shares contribution
- Members will be allowed to borrow from the group but subject availability of funds
- The maximum repayment `period and interest rate to be approved to the proceedings of the General meeting
- Loans will be paid to fully paid up members

1.12 CHAPTER TWELVE – AMANDMEND OF THE GROUP CONSTITUTION

- Application to amend the constitution shall be done thorough notification to the secretary by interested members
- It shall be required that the proposal of amendment be discussed at the general meeting by all members present On acceptance of the suggestion the community shall make recommendations to the next General Meetings or Special General Meeting for approval or not

1.13 CHAPTER THIRTEEN DISSOLUTION OF THE GROUP

- The group shall not be dissolved except by resolution passed at (AGM) Annual General Meeting by votes not less than two thirds of members
- The motion must have been proposed, presented and discussed by all active members of the group
- If no quorum is obtained, the proposal to dissolve the group shall be submitted to a further meeting which shall be held one moth later.
- Notice of adjournment shall be given to all members of the group at least fourteen (14) days before the date of the meeting
- The quorum of the adjournments meeting shall be the number of members present
- Note however that no dissolution shall be effected without prior application from the – D.S.D.O- or S.D-.A. in wiring and signed by three of the office bearers.
- When the dissolution of the group of the group has been approved, no further action shall be taken by the committee or any member other than to get in and liquidate for cash and all assets for the group
- Subject to the payment of all debts of the group, the balance thereof shall be distributed in such other manners as may be resolved by the meeting at which the resolution for dissolution was passed.