

## **THE CONSTITUTION OF THE AFRICAN PEOPLES CONVENTION.**

### **I. PREAMBLE**

*" We, the members of the African Peoples convention in our quest to form an integrated forum with a united spirit, where the statutory rights and equality of members shall be respected and dignity upheld deem it necessary to create this constitution which shall be our book of law and must in no way be compromised No person or persons shall consciously or unconsciously be excused from acts of violation that flouts the very principles of our foundation as stated in this constitution. Acts of trespasses shall be treated accordingly as stipulated in the constitutional "Code of Conduct" which by law is an inclusive part of this constitution. "*

### **II.**

#### **SUPREMACY OF THE CONSTITUTION.**

1. *The constitution of the African Peoples Convention is, and shall remain supreme.*
2. *The sovereignty of this constitution shall reign over every member, committee or executive of the convention.*
3. *The constitution is and shall remain the only book of authority and combined laws guarding the convention.*
4. *Morals and ethics as described in this book shall prevail over all matters associated with the convention.*
5. *At no time will it be allowed for any person or group of persons to alter, add to or delete from any part of this constitution.*
6. *Amendments and subsequent ratification on any content written in this constitution can only be achieved after:*
  - a. *The executive consents with a majority vote on the proposed issue to be presented to the convention.*
  - b. *There shall be an open debate on the proposed issue for amendment by members of the convention.*
  - c. *A two-third majority approval vote of members of the convention shall be needed to amend any part of the constitution.*

## ARTICLE 1: NAME AND SEAT

1. *The association is called the African Peoples Convention (A. P. C.).*
2. *The seat of the association is in Kassel.*
3. *The association shall be registered in the magistrate court in Kassel in the year 2001.*

## ARTICLE 2 : AIMS.

1. *The association is and shall remain a philanthropic organisation*
2. *Promotion and preservation of African culture.*
3. *Bringing together Africans and people of African origin.*
4. *Promoting the spirit of integration amongst members and rendering support in terms of crises.*
5. *Educating and rendering assistance on issues affecting the basic fundamental human rights.*
6. *It is a non-political and non- religious organisation*
7. *The association shall remain selflessly active.*
8. *The association shall be funded by financial contributions and the freewill donations of members and the general public.*

## ARTICLE 3 :

### **MEMBERSHIP**

1. *Membership of the convention is , and shall remain open to all Africans and people of African origin.*
2. *The minimum age of all member shall be 18 years.*
3. *The convention shall pose no hindrance to members entering or leaving the organisation.*
4. *Interested members shall be made to fill out and sign membership application forms. This must include all personal data and must be returned within 14 days of collection.*
5. *The executive shall take final decisions on issues concerning membership.*
6. *Applicant shall be officially informed of their acceptance into the association by the president after 3 months probation period.*

## END OF MEMBERSHIP

1. *Through natural death.*
2. *Through freewill resignation*
3. *Through expulsion*
4. *Members who intend s leaving the organisation for whatever reason shall make their intention known to the executive body through an official letter and shall be obliged to pay their monthly dues till the end of the year.*
5. *Members that engaged in activities that goes contrary to the rules and regulations of the organisation shall be expelled from the organisation. The decision of expulsion shall be taken by the executive after hearings must have been conducted but shall need a two-third majority vote of members of the convention.*
6. *The name of any member that fails to meet up with his or her financial obligation shall be erased from the membership list after the person concerned fail to respond to two warning letters.*
7. *Any expelled member shall be officially informed when such decisions are taken and shall return all the properties belonging to the association within one week.*

## **ARTICLE 4: ORGANS OF THE CONVENTION.**

1. *The executive.*
2. *The council of elders*
3. *The general Assembly.*

## **ARTICLE 5. THE EXECUTIVE**

### **SECTION 1**

*The general management of the affairs of the convention shall given to an executive body.*

*The executive shall comprise of the following:*

1. *The president who shall serve as head of the body and head of the convention.*
2. *The vice- president who shall deputize for the president.*
3. *The secretary.*
4. *The financial secretary*

5. *The treasurer.*
6. *The public relations officer.*
7. *These offices shall be occupied by qualified members of the convention , after due elections that shall be democratically conducted, except for mid-term appointments which shall be made to fill up a vacant executive position before the next election.( see paragraph 14 )*
8. *The elections shall be conducted by a three member body created by act of law.( The electoral committee )*
9. *The minimum age for members running for any executive position shall be 25yrs.*
10. *Any member who has not been registered for at least 6 months before the day of elections, shall not be eligible to be an executive.*
11. *The executive shall be granted statutory powers to run the affairs of the convention.*
12. *The executive shall be empowered to make final decisions on high policy matters, to the very best interest and welfare of the convention. Such matters might include internal policies, ethics and morals.*
13. *The executive shall be elected to serve the convention for a period of 24 months ( 2 years )*
- ✱ 14. *The executive shall be empowered to fill up mid term vacancies in the executive body by appointing replacements. The positions of president and vice-president are however exempted from such powers.*
15. *If the position of president becomes vacant, the vice-president shall occupy this office and become president until the next elections.*
16. *If the position of vice-president becomes vacant , a bye - election shall be conducted to fill up the office.*

## **SECTION 2**

### **THE PRESIDENT.**

1. *The president shall be the head of the board of executives and the convention, and shall be treated as such.*
2. *The president shall preside over all meetings of the convention*
- ✱ 3. *The president shall call for emergency / general meetings after due consultation with the executives*
4. *Shall give speaking rights to individuals during deliberations or meetings*
5. *The president with the consent of the executives shall be empowered to create and dissolve committees, when deemed necessary.*
6. *Committees created by acts of law in this constitution are however exempted from these powers.*

7. *The president shall be a signatory to all official documents of the convention including the bank account of the Convention.*
8. *The president behaviour shall on no account erode the affection of the convention or go contrary to the aims and objective of the organisation*
9. *The president shall deliver a comprehensive address on the state of the convention on quarterly basis.*
- 10*The president shall give approval to all financial spending through an application forwarded through the financial secretary.*

### **SECTION 3**

#### **THE VICE- PRESIDENT .**

*The vice – president shall carry out all the duties of the president in his absence.*

### **SECTION 4**

#### **THE SECRETARY General**

1. *The secretary shall handle all correspondence, keep records and also do the general clerical work of the organisation.*
2. *The secretary general shall keep all official 7 office documents relating to the running of the A.P.C*
3. *The secretary general shall issue out circulars for meetings after due consultation with the President.*
4. *The secretary general shall be a signatory to all official document of the convention.*

### **SECTION 5**

#### **THE TREASURER**

1. *The treasurer shall keep all the financial records of the pass book of the convention.*
2. *Shall work hand in hand with the financial secretary to supervise the financial machinery of the convention.*
3. *Shall at no given time keep noting more than 200 DM in his or her possession outside A.P.C bank account.*
4. *Shall be signatory to A.P.C account.*

## SECTION 6

### THE FINANCIAL SECRETARY.

1. *The financial secretary shall keep all documents relating to the financial status of the convention.*
2. *Shall brief the convention on the financial status on quarterly basis.*
3. *Shall be responsible for the collection of the registration/other dues.*
4. *Shall present all money in his/her possession to the treasurer within 48hrs of receipt.*
5. *Shall be a signatory to all financial document including the bank account of the convention.*

## SECTION 7

### PUBLIC RELATIONS OFFICER:

1. *The P.R.O shall be responsible for all advertisements and canvacing notes that have been screened by the executives.*
2. *Shall be responsible for all public gathering, symposium, lectures e.t.c*

## **ARTICLE 6: council of elders:**

1. *This position shall be occupied by five active members of the organisation who must have been registered for more two years.*
2. *They shall be elected in a general meeting of the convention.*
3. *Their tenure shall be three years starting from the date of the election.*
4. *They shall advice and make recommendations to the executives on important issues relating to the running of the association.*
5. *Shall give approval to all projects brought forward by the executives that is above 3,000 DM.*
6. *They shall meet on quarterly basis.*
7. *The members shall be invited to meetings by the President of the convention with a circular letter which shall be sent within one week before the stipulated date.*
8. *The executives shall be entitled to attend and join in the discussions during the councils meetings but shall not have voting right.*
9. *The council shall issue communiqué after their deliberations which shall be signed by all the members of the council.*

## ARTICLE 7: GENERAL ASSEMBLY

1. *shall have The convention shall hold general meetings on quarterly basis.*
2. *These meetings shall be held on the first Saturday of the third month of the year, except for special meeting that shall be called for by the executive.*
3. *Circulars shall be sent out to all registered members , informing them on all meetings at least 2 weeks before the stipulated date.*
4. *Members are expected to be punctual.*
5. *The meetings shall be headed by the president , as head of the convention.*
6. *Members are expected to show high level of discipline during meetings.*
7. *The president as head of the convention shall be empowered to give speaking rights to members during all meetings.*
8. *Important decisions concerning the general welfare of the convention shall be taken on such general meetings i.e a, Election of an executive body, projects that the executive plan to execute, financial issues, expulsion of members, vote of no confidence on any member of the executive or the entire executive.*
9. *Decisions taken in general meetings shall be clearly stated in a communiqué that shall be posted to every registered members of the association.*
10. *The communiqué shall be signed by the secretary-general of the association*
11. *Every member shall have equal voting right.*

# ARTICLE 8

## COMMITTEES OF THE CONVENTION.

### SECTION 1

#### *DISCIPLINARY COMMITTEE:-*

1. *The disciplinary committee shall be created by an act of law as enacted in this constitution.*
2. *The Disciplinary committee shall be appointed by the executive of the convention.*
3. *The committee shall comprise of three members with one of its members as the chair-person.*
4. *The committee shall be granted full powers by the A.P.C on matters concerning the discipline of members.*

#### *Sub-Section 1.*

#### **FUNCTIONS:-**

1. The committee shall be responsible for promoting and enforcing discipline amongst members.
2. *The committee shall be empowered to issue out summons.*
3. *The committee must conduct free and fair hearings in resolving issues.*
4. *The committee shall recommend punitive measures to the executives on members who violate the law.*
5. *Decisions on issues brought before the D.C must be reached without passing prejudice.*
6. *The committee shall report to the Executive body.*

#### *Sub- Section 2.*

#### *Electoral Committee.*

1. *The electoral committee shall be created by an act of law as enacted in this constitution.*

2. *The committee shall be appointed by members of the executive to conduct election.*
3. *The committee shall comprise of three members with one member as the chair-person.*
4. *The committee shall conduct and preside over all elections.*
5. *The committee shall ensure that all election are free and fair.*
6. *The committee shall screen all candidates contesting for official and non official offices of the convention.*
7. *The committee shall ensure that all candidates contesting for office are treated equally.*
8. *The chair-person of the electoral committee shall announce the results of the elections.*
9. *Members shall be appointed to serve on this committee on interim basis.*

## ARTICLE 9. DISSOLVE / LIQUIDATION OF THE CONVENTION.

1. *In case of serious eventualities, the motion to dissolve the organisation shall only be possible in a General meeting with a two third majority votes of all the registered meeting. The resolutions that shall be made public shall be signed by all the <sup>members</sup> members present in the meeting.*
2. *The left over money in the convention bank account shall be donated to Africa Aids foundation for the prevention and treatment of Aids in Africa when the convention is dissolved*
3. *The moveable and the unmovable properties of the organisation shall be sold and the proceeds shall be donated to motherless babies home in Africa.*