

**CONSTITUTION OF THE  
GHANAIAN COMMUNITY IN  
GENEVA,  
SWITZERLAND**



September 2015

## **Acknowledgement**

H.E. Ambassador Sam Eddico

Ghana Permanent Mission to the UN Office in Geneva

### **Interim Steering Committee Members**

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# CHAPTER ONE

## GENERAL

### **Article 1: Name of the Association**

The name of the not-for-profit Association shall be “The Ghanaian Community in Geneva”, hereinafter referred to as “the Community”.

### **Article 2: Seat and Address of the Community**

- 2.1 The Community shall have as its seat, Geneva, Switzerland.
- 2.2 The official postal address of the Community shall be: C/O Ghana Permanent Mission-Geneva, Rue de Moillebeau, 56, 1209 – Geneva, Switzerland.

### **Article 3: Patron or Patrons of the Community**

- 3.1 The Head of the Ghana Permanent Mission-Geneva shall always be the Patron.
- 3.2 The role of the Patron shall include, but not be limited to, providing support to and championing the agenda of the Association.

### **Article 4: The Laws and Regulations of the Community**

The Community shall be governed by the following:

- 4.1 This Constitution.
- 4.2 Any Regulations adopted by the General Assembly in accordance with the provisions of Article 12.6.6.

### **Article 5: Aims and Objectives of the Community**

- 5.1 To promote the welfare of, and foster unity amongst, all members through, *inter alia*:
  - 5.1.1 Organization of social and cultural activities.
  - 5.1.2 Financial assistance or other support to individual members of the community who might be in need in accordance with the provisions of Article 15.1.
  - 5.1.3 Institution of a permanent or ad hoc mechanism for the arbitration of disputes between members of the Community.
- 5.2 To complement the efforts of the Ghana Permanent Mission-Geneva in building and promoting a positive image of Ghana through participation in, or contribution to relevant activities.

## **CHAPTER TWO**

### **MEMBERSHIP**

#### **Article 6: Membership of the Community**

- 6.1 There shall be two categories of membership: Regular Membership and Honorary Membership.
- 6.2 Regular Membership of the Community shall be open to all Ghanaians resident in Canton Geneva and its environs.
- 6.3 Regular Membership shall be for persons of 18 years and above. A dependent child (less than 18 years) of a member of the Community shall have automatic Membership.
- 6.4 Honorary Membership shall be open to non-Ghanaians with demonstrable interest in Ghana and in the Community, including spouses of Ghanaians who are non-Ghanaian, persons of Ghanaian heritage and non-Ghanaians committed to the interest of Ghana.
- 6.5 Every Member shall pay a registration fee as determined by the General Assembly, and monthly dues. Both registration and dues shall be recorded in the Membership Database. Full time Student members shall be exempted from the payment of the annual Membership fee.

#### **Article 7: Observance of the Rules and Regulation of the Community**

- 7.1 Every Member shall observe the rules and regulations of the Community, including:
  - 7.1.1 Regular attendance at meetings of the Community.
  - 7.1.2 Timely payment of annual Membership fee.
  - 7.1.3 Active participation in events organized by the Community.
- 7.2 Failure to observe the rules and regulations of the Community or fulfill obligations of Membership may attract disciplinary action or sanctions from the Community, as provided for in Articles 19 and 20 of this Constitution.

## **CHAPTER THREE**

### **OFFICERS OF THE COMMUNITY**

#### **Article 8: Officers of the Community**

8.1 The Community shall have the following officers:

- (1) President
- (2) Vice-President
- (3) Secretary
- (4) Organizing Secretary
- (5) Focal Points
- (6) Treasurer

#### **Article 9: Duties of Officers**

##### 9.1 The President

The President shall:

- 9.1.1 Be the Chief Administrative Officer of the Community.
- 9.1.2 Convene and chair all General Assembly or emergency meetings of the Community, unless he or she is the subject of a motion of no-confidence or any other disciplinary proceedings, as provided for under the provisions of Articles 18 and 19 of this Constitution.
- 9.1.3 Provide guidance on the general direction of the Community in line with its aims and objectives as stipulated in this Constitution.
- 9.1.4 Ensure implementation of the decisions of the General Assembly or of an emergency meeting.
- 9.1.5 Present an annual report of the activities of the Community to the General Assembly.
- 9.1.6 Chair the meetings of the Executive Committee described below in Article 11.
- 9.1.7 Represent the Community at all functions/gatherings requiring representation.

##### 9.2 The Vice-President

The Vice-President shall:

- 9.2.1 Provide Primary support to the President in managing the affairs of the Executive Committee and the Community as stipulated in this Constitution.
- 9.2.1 Assume the functions of the President in the absence of the President or in the event that he or she is unable to perform his or her functions; in which case, the provisions of paragraph (1) of this Article shall apply.

9.2.2 Undertake any other functions as may be assigned by the President or the General Assembly.

### 9.3 The Secretary

The Secretary shall:

9.3.1 At the request of the President or the Executive Committee, notify members of a meeting of the General Assembly or of an emergency meeting, and provide therewith, an agenda for any such meeting.

9.3.2 Take minutes of all meetings and present them during general meetings and/or whenever called upon to do so.

9.3.3 Follow-up on actions arising from the minutes with the relevant Officers of the Community and report thereon at the next appropriate meeting.

9.3.4 Be the custodian of the documents and archives of the Community relating to his or her duties and ensure their integrity and inviolability.

9.3.5 Keep records of meetings of the Executive Committee.

### 9.4 The Organizing Secretary

The Organizing Secretary shall:

9.4.1 Propose to the Executive Committee an annual events calendar at the beginning of each year for consideration and adoption.

9.4.2 Coordinate activities and events in collaboration with an organizing team duly established for such purpose as appropriate.

9.4.3 Perform any other tasks that will further the aims and objectives of the Community.

### 9.5 The Focal Points

There shall be at least one Focal Point nominated by the Community in each UN agency or group of agencies, Church, the Private Sector and other Ghanaian interest groups.

The Focal Points shall:

9.5.1 Be responsible for contacting and introducing newly-arrived Ghanaian citizens in Geneva to the Community.

9.5.2 Encourage eligible Ghanaians who are not Members of the Community to join.

9.5.3 Mobilize Members to attend meetings and encourage their participation in activities of the Community.

9.5.4 Disseminate information from the Executive to their Constituents/Members.

### 9.6 The Treasurer

The Treasurer shall:

- 9.6.1 Be responsible for collecting annual Membership fees and maintaining a Membership Database.
- 9.6.2 Ensure that monies collected on behalf of the Community are deposited promptly into the bank account of the Community.
- 9.6.3 Be accountable for all monies of the Community in his or her care. He or she shall promptly report and reimburse any loss to the Community.
- 9.6.4 Present Annual Financial Reports, including projected income and expenditures, to the General Assembly or to any other meeting called to receive such report.
- 9.6.5 Make all records and documents available to the Auditors appointed by the General Assembly.

**Article 10: Election of Officers of the Community**

- 10.1 Any paid-up regular Member may stand for election to any office of the Community, unless the Member has been disqualified from holding an elected office under any of the provisions of Articles 19.1 and 20.1.
- 10.2 Notice of vacancy shall be made by the Electoral Committee. Any Member seeking election to any office of the Community shall fill and submit a nomination form to the Electoral Committee within a specified period (the form will elaborate on number of endorsements required and other tangential issues).
- 10.3 Every Officer shall be elected by secret ballot by all Members present and voting at the General Assembly or emergency meeting, whichever applies.
- 10.4 Where only one Member submits his or her nomination for a vacant office, such Member shall be deemed to have been elected by obtaining at least 50% of the votes of all Members present and voting at the General Assembly or emergency meeting, whichever applies.
- 10.5 Every Officer shall be elected for a term of two years and shall not serve for more than two consecutive terms in the same office. This provision is without prejudice to the provisions of Articles 19 and 20 of this Constitution.
- 10.6 Honorary Members shall not be eligible to stand for election to an office of the Community.
- 10.7 The provisions of this article shall not apply to persons nominated as focal points.



## CHAPTER FOUR

### EXECUTIVE COMMITTEE

#### **Article 11: The Executive Committee of the Community**

11.1 There shall be an Executive Committee comprising the following:

- (1) The President
- (2) The Vice- President
- (3) The Secretary
- (4) The Focal Points
- (5) The Treasurer
- (6) The Organizing Secretary
- (7) A Representative of the Ghana Permanent Mission, Geneva

11.2 The Executive Committee shall:

11.2.1 Act as the Executive/Administrative body of the Community.

11.2.2 Oversee and protect the general interest of the Community and its members.

11.2.3 Propose regulations, social and other activities for consideration and adoption by the General Assembly in ordinary or emergency sessions.

11.2.4 Institute an appropriate mechanism for the amicable resolution of disputes between individual Members of the Community.

11.2.5 Subject to the provisions of Paragraph (2), Article 14 of this Constitution, appeals for funds from interested persons and organizations and report thereon to the General Assembly.

## CHAPTER FIVE

### MEETINGS OF THE COMMUNITY

#### **Article 12: General Assembly**

- 12.1 There shall be at least one General Meeting each year.
- 12.2 The Secretary shall, in consultation with the Executive, convene the Annual General Meeting.
- 12.3 The Secretary shall notify Members and circulate the agenda of the meeting, at least two weeks before the date of the meeting.
- 12.4 One third of the Members of the Community present shall form a quorum for the purpose of a General Assembly meeting.
- 12.5 Except as provided elsewhere in this Constitution, decisions of the General Assembly shall be taken by a simple majority of Members present.
- 12.6 Powers of the General Assembly

The General Assembly shall:

- 12.6.1 Be the principal and highest decision making body of the Community.
- 12.6.2 Receive and consider annual reports from the President, the Secretary and the Treasurer.
- 12.6.3 Receive, consider and vote on any proposals referred to it by the Executive Committee.
- 12.6.4 Elect officers of the Community.
- 12.6.5 Establish such standing or ad hoc sub-committees as it may deem necessary.
- 12.6.6 Adopt any regulations deemed necessary for the governance of any aspect or aspects of the Community.
- 12.6.7 Expel or take any other disciplinary action against any member, as provided for in Articles 18 and 19 of this Constitution.

#### **Article 13: Emergency Meetings**

- 13.1 An emergency meeting shall be convened by the Secretary in consultation with the President as and when necessary.
- 13.2 Any Member or Members may petition the Secretary in writing to convene an emergency meeting, provided such petition is signed by at least a third of the Community's paid-up Members in support of such a meeting. The agenda for the meeting shall be attached to the petition by the petitioning Member or Members.
- 13.3 The Secretary shall, in consultation with the Executive Committee, convene such emergency meeting as soon as possible, but in any case not later than two weeks after he or she has received the petition.

- 13.4 In such emergency meetings, one-third of the paid-up Members of the Community shall form a quorum.
- 13.5 The rules governing the decision-making of the General Assembly, as laid down in Article 12.5 shall apply.

## CHAPTER SIX

### FINANCE

#### **Article 14: Income of the Community**

- 14.1 The Community shall derive its income mainly, but not exclusively, from the following sources:
  - 14.1.1 Annual Membership fees.
  - 14.1.2 Fund-raising activities, such as dinner dances, luncheons, bazaars, or similar social events.
  - 14.1.3 Voluntary donations from Members, as well as well-wishers.
  - 14.1.4 Funds received from interested persons and organizations.
- 14.2 Notwithstanding the provisions of subparagraph 14.1.4 of this Article, the Community shall neither solicit nor accept funds from individuals or organizations where it has reasons to believe that such individuals or organizations, through their donation or donations, may seek to influence or control the Community.
- 14.3 The Standing Finance Committee shall check the proceeds of any fund-raising activity within forty-eight hours after the event has taken place and report thereon to the Executive Committee.

#### **Article 15: Expenditure of the Community**

- 15.1 The funds of the Community shall be used for the following purposes within the terms of this Constitution or regulations, and other purposes which the General Assembly and/or the Executive Committee may determine:
  - 15.1.1 To pay for administrative costs for running the Community.
  - 15.1.2 To finance activities of the Community.
- 15.2 Every payment shall be made by bank transfer. In exceptional circumstances, payments may be made by cash, provided a receipt is issued.

#### **Article 16: Audit and Finance Committee**

- 16.1 The General Assembly shall appoint a five-member Standing Finance Committee, including the President, the Treasurer and, at least, one focal point. The Standing Finance Committee shall serve a term of two years.
- 16.2 The Standing Finance Committee shall:
  - 16.2.1 Review and recommend the annual budget of the association to members for approval;
  - 16.2.2 Oversee any fundraising activity undertaken by the Association. In so doing the committee may co-op other individuals who the committee deems fit will

enhance the fundraising effort. This may include revision of dues for adoption at the General Assembly

- 16.3.3 authorise any proposed expenditure which is not included within the approved budget prior to the expenditure being incurred. In exercising this function, the Committee must take into account the provisions of Article 15.2
- 16.3 Any two members of the Standing Finance Committee, including the Treasurer, shall make payments on behalf of the Community.
- 16.4 Recommend the external auditor for appointment at the General Assembly.
- 16.5 Review and propose the auditor's report for adoption by the General Assembly.

#### **Article 17: Electoral Committee**

- 17.1 The General Assembly shall appoint a three- member Electoral Committee to oversee the election of Officers of the Community. A member may serve not more than four years on the Electoral Committee.
- 17.2 A paid-up Member wishing to be considered for Membership of the Electoral Committee shall pick, complete and submit a form to the Secretary of the Community one month prior to the convening of a General Meeting in which the appointment is to be considered.
- 17.3 In appointing a Member of the Electoral Committee, the paramount consideration shall be to assure the highest standards of integrity and competence.
- 17.4 The Electoral Committee shall prepare for consideration and adoption by the Executive, all practical procedures pertaining to the electoral process, including the modalities for the conduct as well as the format of proceedings during the election of officers.**

#### **Article 18: Auditing of the Accounts of the Community**

- 18.1 The accounts of the Community shall be audited at least once a year.
- 18.2 The General Assembly shall appoint from among its members a team of Auditors to audit the accounts of the Community, provided that none of the Auditors shall be an office-holder, a Member of the Executive Committee or a Member of the Standing Finance Committee. Selection shall be subject to the availability of Members with requisite expertise.
- 18.3 The Auditors shall table their report to the General Assembly at its last meeting of the year after review and adoption of the report by the Audit and Finance Committee. The auditors' report to members shall state:
  - whether proper books of accounts have been maintained

- whether the controls in existence over the income and expenditure of the Association are adequate

- whether the accounts presented show a true and fair view of the financial position and the surplus or deficit for the period.

- 18.4 The auditors may issue recommendations for the improvement of the financial management and internal controls for the Association. Where the auditors issue such a recommendation, the Executive shall provide comments and responses to those recommendations which shall include their agreement or otherwise to the recommendations and an action plan and timeframe to implement the recommendations of the auditors. Any recommendations issued by the auditors shall be presented to the members at the same time as the audit report.
- 18.5 The Treasurer shall make all financial reports and accounting books, cheque stubs, cheque books, receipts and all other documents available to the Auditors by the 1<sup>st</sup> of October every year in order to facilitate the audit.
- 18.6 The Treasurer, the Members of the Standing Finance Committee, the Members of the Executive Committee, as well as other Members of the Community, shall make themselves available should the Auditors require their assistance.

## CHAPTER SEVEN

### DISCIPLINARY MEASURES

#### **Article 19: Removal of Officers of the Community**

- 19.1 Any officer of the Community may be removed from office at any time by a vote of no-confidence on the grounds of abuse of office, misuse or embezzlement of the funds of the Community, non-performance, incompetence, persistent negligence, or engagement in a behavior not compatible with the aims and objectives of the Community.
- 19.2 Any member or members wishing to table a motion of no confidence in an elected Officer shall submit such complaint in writing to the Secretary, except where the Secretary himself or herself is the subject of such motion, in which case the motion shall be submitted to the President, thirty days prior to the date the General Assembly or until an emergency meeting is scheduled to hear the motion.
- 19.3 Any Officer who is the subject of a motion of no-confidence shall be served by the Secretary with a copy of the motion, together with the grounds, for doing so, at least twenty-one working days prior to the date the General Assembly or an emergency meeting is scheduled to hear the motion.
- 19.4 The Member or Members submitting the motion shall do so in person. The Officer who is the subject of the motion shall be accorded reasonable opportunity to defend himself or herself within the time frame prior to the General Assembly or the emergency meeting, before the motion is put to a vote.
- 19.5 If an Officer who is the subject of a motion of no-confidence absents himself or herself without reasonable cause from the meeting at which his or her case is to be heard, he or she shall be deemed to have forfeited his/her right to a defense, in which case the motion shall be upheld without a vote.
- 19.6 A motion of no-confidence shall be decided by secret ballot upholding the motion by two-thirds of paid-up Members at the meeting.
- 19.7 Any Officer who is the subject of a motion of no-confidence shall not exercise his or her right to vote in that particular matter.
- 19.8 Where the President is the subject of a motion of no-confidence, the proceedings shall be chaired by the Vice-President.
- 19.9 Any Officer who is removed from office by a vote of no-confidence shall leave office forthwith. He or she shall hand over immediately to the President Chairperson of the Executive Committee any property of the Community in his or her possession, and his or her Membership to the Executive Committee or any other Committee shall be considered terminated forthwith. Such a Member shall be barred from holding any other office or serving on any Committee of the Community for a period of five years, starting from the day of his or her removal from the office.

19.10 In the event the term of office of an Officer is terminated prematurely under the provisions of this Article, The Executive Committee shall appoint an Officer to hold the position in accordance with the provisions of Article 10 of this Constitution.

**Article 20: Expulsion and other Measures**

20.1 The Community, meeting in a General Assembly, may sanction a Member for any of the following reasons:

20.1.1 Divulging confidential information regarding the Community's activities to any person or persons not privileged to have such information.

20.1.2 Any behavior or conduct deemed to be inappropriate or having the effect of bringing the Community into disrepute.

20.2 Any Member who persistently fails to meet his or her financial obligations or absents himself or herself from meetings of the Community without good reason may be suspended for a period as the General Assembly shall determine. In making such determination, the General Assembly shall take into consideration the nature of the case.



## **CHAPTER EIGHT**

### **INTERPRETATION AND AMENDMENT OF THIS CONSTITUTION**

#### **Article 21: Interpretation**

- 21.1 This Constitution shall be applied and interpreted, having regard to the aims and objectives of the Community.
- 21.2 Words or phrases used in this Constitution shall be given their ordinary meaning, unless the context suggests otherwise.

## **CHAPTER NINE**

### **AMENDMENT OF THIS CONSTITUTION**

#### **Article 22: Amendment**

Any article or part thereof of this Constitution may be amended by the General Assembly, provided a motion is moved and two-thirds of paid-up Members present vote for such amendment.

## **CHAPTER TEN**

### **TRANSITIONAL PROVISIONS**

#### **Article 23: Seal of the Community**

The Executive Committee shall design or cause to design and produce an appropriate seal of the Community, to be used on all official correspondence.