



Nyikwa Ezra Welfare Association
Social Welfare, Wealth, & Prosperity

CONSTITUTION

OF

Nyikwa Ezra Welfare Association [N.E.W.A]

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This document was drafted and presented to members for adoption through virtual meeting held between the 5th day of April 2020 and 7th day of April, 2020 and thereafter signed (here below) as the Constitution of Nyikwa Ezra Welfare Association

Jeph Odhiambo
Chairman

Olyvent Odera
Vice-Chairperson

Don Onyango
Secretary

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THE CONSTITUTION OF NYIKWA EZRA WELFARE ASSOCIATION

[N.E.W.A]

Preamble:

We, the grandchildren of **EZRA ONYANGO NYANGALO**, in order to perpetuate the memories of life to serve, and to provide a medium by which the welfare of the members and their families may be promoted, and upon recognizing the need to promote socioeconomic interaction between us, do hereby adopt this document as the Supreme Constitution that will guide our operations, Activities, and Projects as **“Nyikwa Ezra Welfare Association”**.

ARTICLE 1: NAME, COLORS, LOGO, SLOGAN, VISION, MISSION, AND CORE VALUES

- i. The name of this Association shall be **“Nyikwa Ezra Welfare Association”**, hereinafter referred to as the “Association”
 - ii. **The colors of the Association shall be**
 - a. Red: Symbolizing uncertainties, unfortunate events, emergencies, and risks
 - b. Blue: Symbolizing family union, unity & togetherness, resource mobilization from members, trust, loyalty, uttermost good faith, and truth.
 - c. Green: Symbolizing prosperous life, sustainable growth, harmony, social safety, wealth/financial growth, third generation (grandchildren).
 - d. White: Symbolizing peace and tranquility.
 - iii. **The Slogan of the Association shall be**
“Social welfare, Wealth, and Prosperity”
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iv. Our Mission

To encourage members to save and actively participate in the diverse social and economic projects of the association.

v. Our Vision

To become the most member-centered welfare association that promote social welfare, create wealth, and promote sustainable social and economic development among its members.

vi. Core Value

- a. Transparency
- b. Respect
- c. Honesty
- d. Unity

ARTICLE 2: REGISTERED OFFICE.

The headquarters of the Association shall be at Migori County, Chamkombe Area, P. O. Box 778-40400 Suna Migori.

ARTICLE 3: OBJECTIVES OF THE ASSOCIATION

1. To promote development among its members by giving them opportunity to accumulate their savings.
2. To create thereby a source of funds which can be invested in profit making ventures and acquisition of properties.
3. To promote mutual understanding among its members and attend to some socioeconomic challenges affecting them in the spirit of “Together as One.”

4. To bring together all the grandchildren of Ezra Onyango Nyangalo and their spouses to exclusively engage in the social welfare, wealth creation, and prosperity of each other.
5. To do all such other things as are incidental or conducive to the attainment of all or any of the foregoing objectives that are sanctioned by this constitution.

ARTICLE 4: MEMBERSHIP

- a) Membership to this association shall be a **life membership by default**, so long as one is a grandchild/Foster or is married to a grandchild/foster grandchild of Ezra Onyango Nyangalo
 - b) All members shall be required to pay a non-refundable registration fee of KSh. 300.00 for individual and 500.00 for a family membership with one spouse, and an additional 200 for every additional spouse
 - c) The membership fees shall be payable **ONCE** during the life membership period.
 - d) Every unmarried member (Those in Institutions of Learning) shall pay a non-refundable registration fees of 150.00 and monthly subscription of Ksh. 100.00 while those who are married shall pay Ksh. 200.00 for family with one spouse or additional Ksh.100.00 for any additional spouse.
 - e) All eligible members who are unmarried (Those in institutions of Learning) shall pay 50% of all the monetary contributions due from members and shall be required to begin making contributions as a married members upon getting married.
 - f) All eligible members of the association shall be deemed to be life members
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and shall not be subject to dismissal or expulsion except in clauses 4 [b] and 4 [e] above

- g) Membership shall be classified into three major categories
 - i **Active member:** A registered member who makes financial contributions towards more than 1/3 of the activities of the Association
 - ii **Inactive Member:** A registered member who makes contribution to less than a third (1/3) of the activities of the association
 - iii **Dormant Member:** A registered member/ Non-registered member who never contributes towards any of the activities of the association.
 - iv **Quasi Member:** A spouse/ Spouses to a grandchild of Ezra Onyango Nyangalo subject to meeting the requirements of clauses 4[b], [d], and [e].

ARTICLE 5: OFFICE BEARERS

Office bearers of the Association shall be;

- 1) The Patron.
 - 2) The chairman
 - 3) The Vice Chairperson
 - 4) The Secretary General
 - 5) The Deputy Secretary General
 - 6) The Treasurer
 - 7) Web Administrator-**Appointed by the Executive Committee**
- I. Eligibility to office number 2 -7 above shall be reserved to members who fall under the category of **Active Members**.
 - II. Eligibility to the office of the patron shall be reserved to the parent (Mother of
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Father) to the household with the highest percentage of members in the category of **Active Members**

- III. The percentage of members in the category of Active members shall be calculated by dividing the number of active members by the total number of eligible members in every household multiplied by 100%
- IV. All occupants of office number 2-7 shall be elected during an Annual General Meeting to be held in each year (see also Article 5b below).
- V. No household shall be eligible to produce more than one office bearer in any particular year.
- VI. The office of the Vice Chairman and the Deputy Secretary General shall be reserved for granddaughters.
- VII. Spouses to the Grandchildren shall be quasi members and shall not be eligible for any office or to transact any business of the association.
 - a) All office bearers shall hold office for a term of one years from the date of election subject to the conditions contained in sub-paragraphs (c) of this constitution but shall be eligible for re-election
 - b) The office bearer may be removed from the office in the same way as it is laid down for the expulsion of members in Article 4(d) and vacancies thus created shall be filled by persons elected at the special meeting resolving the expulsion.

ARTICLE 6: DUTIES OF OFFICE BEARERS

a. The Patron:

- i The role of the Patron shall be purely advisory to the members, management committee and summit.

- ii To create harmony between members of this welfare and their parents.
- iii To create network, linkage, and connection between the Association and potential donors, well-wishers, and charitable organizations who can fund long-term capital development projects.

a. The Chairman:

- i. The chairman shall, unless prevented by illness or other sufficient cause, preside over all meetings of the Summit, Management Committee and all General Meetings.
- ii. Liars with the secretary to communicate all matters concerning the welfare to the parents of members of this group through the patron

b. The Vice-Chairman:

- i. Shall perform any duties of the chairman in his/her absence

c. The Secretary General:

- ii. Shall deal with all the correspondence of the Association.
- iii. He shall issue notices convening all meetings of the association.
- iv. Shall preserve all records of proceedings of the association.

d. The Deputy Secretary General:

- i In the absence of the Secretary General, he or she shall perform all the duties of the Secretary General and such other duties as shall be assigned to her by the Secretary General.
- ii She shall act as the secretary of the association in the absence, dormancy, or

inactive status of the secretary general.

e. The Treasurer:

- i. The Treasurer shall receive and shall also disburse, under the general direction of the Executive Committee, all moneys belonging to the Association
- ii. Shall issue receipts for all moneys received by him or her and shall preserve vouchers for all moneys paid by him/her.
- iii. Shall be responsible to the Management Committee and the members that proper books of accounts of all moneys received and paid by the Association are written up, preserved and availed for inspection.

h) Web Administrator

- i To review the performance of the association.
- ii To carry out regular monitoring and evaluation on the progress of the association.
- iii To guide the welfare in meeting its goals and objectives.
- iv To draw the strategic plan, implements projects, and conduct evaluation & monitoring of the organizations projects.
- v To coordinate events and activities that have been duly sanctioned by the Executive Committee.
- vi To organize and procure venues for meetings and events.
- vii Subject to this Constitution, perform any other duties delegated to him by the Executive Committee.

i). Internal Auditor

Shall be appointed by the Executive Committee from the list members falling

under the category of an **ACTIVE MEMBER**

- i. Advice the Executive committee on existing gaps and weaknesses in the associations' funds management
- ii. Objectively assess the Associations' business processes
- iii. Assess the Association's risks and the efficacy of its risk management efforts
- iv. Ensure that the Associations is complying with relevant laws and statutes
- v. Evaluate internal control and make recommendations on how to improve
- vi. Identifying shortfalls or gaps in the Associations processes
- vii. Promote ethics and help identify improper conduct
- viii. Assure safeguards
- ix. Investigate fraud
- x. Communicate the findings and recommendations
- xi. Provide an opinion (Unqualified, qualified, adverse, or disclaim) on the Associations financial statements and reports.

ARTICLE 7: THE EXECUTIVE COMMITTEE

- 1) The Executive Committee shall consist of all the elected office bearers of the Association.
- 2) The Executive Committee shall meet at such a time and place as it shall resolve but meet not less than once in any three months.
- 3) Any casual vacancies for Members of the Executive Committee caused by death or resignation shall be filled during a special meeting of the Association.
- 4) Vacancies caused by members of the Management Committee being removed from office will be dealt with as shown in Article 4(d)

- 5) The Executive Committee shall be responsible for the management of the Association and for that purpose may give direction to the office bearers as to the manner in which, within the law, they shall perform their duties.
- 6) The Executive Committee shall have power to appoint the Welfare Administrator, the internal auditor, and any sub-committees as it may deem desirable to make report to it from a list of members falling under the category of “**Active Member**” as the case may be.
- 7) The Executive Committee shall authorize disbursement of moneys on behalf of the Association.
- 8) The Executive Committee shall implement internal control procedures in consultation with the Internal Auditor.
- 9) The quorum for meetings of the Executive Committee shall be not less than 3 members.
- 10) The executive committee shall serve for one year from the date of election and shall qualify for reelection for another term up to a maximum of three terms of one year each.

ARTICLE 8: GENERAL MEETINGS.

There shall be two classes of general meetings-Annual General Meetings and Special General Meetings.

A. The Annual General Meeting shall be held not later than April in each year.

- i. Notice in writing of such annual general meeting, accompanied by the annual statement of account and the agenda for the meeting shall be sent to all

members not less than 21 days before the date of the meeting.

- ii. Voting shall be in person or proxy
- iii. Whenever a matter is brought for discussion via WhatsApp or in a Physical meeting and a member reads or listens but does not comment, such action shall be interpreted to mean an affirmative response or support in favor of the issue raised.
- iv. The agenda for any annual general meeting shall consist of the following:
 - a. Confirmation of the minutes of the previous annual general meeting.
 - b. Consideration of accounts.
 - c. Election of office bearers and the committee members and trustees where necessary in accordance with Article 11 (a)
 - d. Appointment of editors in accordance with rule 12(a).
 - e. Such other matters as the committee may decide or as to which notice shall have been given in writing by a member to the Secretary General at least two weeks before the date of the meeting.
 - f. Any other business with the approval of the Chairman

B. A special general meeting may be called for any specific purpose by the committee.

- i. Notice in writing of such meeting shall be sent to all members not less than 7 days before the date thereof and where practicable by Press advertisement not less than 7 days before the date of such meeting.
 - ii. A special general meeting may also be requisitioned for a specific purpose by order in writing to the Secretary General of not less than 50 % of all the Active members and such meetings shall be held with 21 days of the date of the
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- requisition.

iii. The notice for such meeting shall be as shown in this Article and no matter shall be discussed other than that stated in the requisition.

A. Quorum for general meetings shall be not less than 1/3 of the registered members of the society.

ARTICLE 9: PROCEDURE AT MEETINGS.

- a) At all meetings of the society the Chairman, or in his absence, the Vice Chairperson, or in absence of both these offices, a member selected by the meeting shall take the chair.
- b) Resolutions shall be decided by simple voting by a show of hands.
- c) In the case of equality of votes, the Chairman shall have a second or casting vote.

ARTICLE 10: EXTERNAL AUDITOR.

- a) An auditor shall be appointed for the following year by the Annual General Meeting.
- b) All the Association's accounts, records and documents shall be opened to the inspection of the auditor at any time upon request by a member.
- c) The Treasurer shall produce an account of his receipts and payments and a statement of assets and liabilities made up to a date which shall not be less than six weeks and not more than three months before the date of the annual general meeting.
- d) The Auditor shall examine such annual accounts and statements and either clarify that they are correct, duly vouched and in accordance with the law or

report to the society in what respect they are found to be incorrect, un-vouched or not in accordance with the law.

- e) A copy of the auditor's report on the accounts and statements together with such accounts and statements shall be furnished to all members at the same time as the notice convening the annual general meeting is sent out.
- f) An auditor may be paid such honorarium for his duties as may be resolved by the annual general meeting appointing him.
- g) No auditor shall be an office bearer or a member of the executive committee of the society or a trustee.

ARTICLE 11: FUND

- a) The funds of the Association shall consist of the following:-
 - i Registration fees.
 - ii Members' deposits.
 - iii Donations, Grants, and Charitable funds transfer from well-wishers.
 - iv Funds acquired through operations like fines, surplus on disposal of properties etc.
 - b) All moneys and funds shall be received by and paid to the Treasurer and shall be deposited by him/her in the name of the association in any bank approved by the members.
 - c) No payments shall be made out of the bank account without a resolution of the Executive Committee authorizing such payment and all cheques on such bank account shall be signed by the signatories.
 - d) A sum not exceeding KSh. 10,000.00 may be kept by the Treasurer for petty disbursements of which proper account shall be kept.
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- e) The committee shall have power to suspend any office bearer who it has reasonable cause to believe is not properly accounting for any of the funds or property of the society and shall have power to appoint another person in his place.
 - f) Such suspension shall be reported to the Annual General Meeting to be convened on a date not later than two months from the date of such suspension and the general meeting shall have full power to decide what further action should be taken in the matter.
 - g) Bank Account:
The following four office bearers are the designated Bank Signatories
 - 1) Chairman
 - 2) Vice-Chairperson
 - 3) The Secretary General
 - 4) The Treasurer
 - i. No money will be withdrawn from the Association's account by the officials without any three of the designated signatories one of whom **MUST** be the Treasurer.
 - ii. The maximum amount of withdrawal per month shall be limited to Ksh. 100,000.00
 - iii. No withdrawal shall be made in excess of Ksh. 100,000 without the express authority of the Active Members
 - iv. The financial year of the society shall be from 1st April to 31st of March.
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ARTICLE 12: SOCIAL ASSISTANCE TO A MEMBER

- 1) In the unfortunate event of death of a member, every member shall contribute not less than Ksh. 2000.00 for Active Members, not more than Ksh. 1000.00 for inactive members, and Ksh. 0.00 for dormant members
- 2) In the unfortunate event of death of a member's parent, spouse or child, every member shall contribute not less than Ksh. 1000.00 for Active Members, not more than Ksh. 500.00 for inactive members, and Ksh. 0.00 for dormant members
- 3) In cases of sickness of a member, spouse or child and where there are proof that the limit offered by the employer have been exceeded then every member shall contribute not less than Ksh. 1000 for Active Members, not more than Ksh. 500.00 for inactive members, and Ksh. 0.00 for dormant members.
Members are however encouraged to register and pay monthly premiums for health insurance such as NHIF.
- 4) Any social assistance to a parent whose household has a higher percentage of Active members shall be limited to the contribution of only one Active member
- 5) Any social assistance to the parent of a household with members scattered across all the three membership categories (Active, Inactive, and Domant) shall be limited to the average contribution prescribed for the three categories of membership.
- 6) The quasi members (our wives and husbands) shall be treated depending on the category where their spouses fall.

- 7) Unmarried members may request for support for a wedding if they plan to have one, or a gift subject to the approval of members.

ARTICLE 13: AMENDMENTS TO THE CONSTITUTION

- i. Amendments to the constitution of the Association must be approved by at least two-thirds majority of members at a general meeting of the society.
- ii. They cannot, however, be implemented without the prior consent in writing of the Registrar, obtained upon application to him made in writing and signed by three of the office bearers.

ARTICLE 14: DISSOLUTION

The Association shall be dissolved under the following conditions;

- a) . By a resolution passed at a general meeting of members by vote of two-thirds of the members present.
 - i The quorum at the meeting shall be as shown in Article 9(c).
 - ii If no quorum is obtained, the proposal to dissolve the society shall be submitted to a further general meeting which shall be held one month later.
- b) . Notice of this meeting shall be given to all members of the society at least 14 days before the date of the meeting.
 - a The quorum for this second meeting shall be the number of members present.
 - b Provided, however, that no dissolution shall be effected without prior permission in writing of the Registrar, obtained upon application to him made in writing and signed by three of the office bearers.
- c) When dissolution of the Association has been approved by the Registrar no

further action should be taken by the committee or any office bearer of the

society in connection with the aims of the society other than to get in and liquidate for cash all the assets of the society.

- d) Subject to payment of all the debts of the society, the balance thereof shall be distributed in such a manner as may be resolved by the meeting at which the resolution for dissolution is passed.

ARTICLE 15: INSPECTION OF ACCOUNTS AND LIST OF MEMBERS

- i. The books of account, all documents, and a list of members of the Association shall be available for inspection at the registered office of the Association by the secretary of the association following a request by a member.
- ii. A member such, however, be required to give not less than seven-day notice in writing to the Association requesting for an inspection of association's records.