

THE CONSTITUTION

OF

**COMMUNITY ACTION FOR
HEALTH & DEVELOPMENT
(CAHEDK)**

(HOMABAY)

AUGUST 2013

THE CONSTITUTION

PREAMBLE

WHEREAS we, members of **COMUNITY ACTION FOR HEALTH & DEVELOPMENT {CAHEDKENYA,}** have solemnly resolved to promote development activities among rural community development Workers in Homa-Bay county, founded on the principles of knowledge that contributes to good development practices.

AND WHEREAS those principles can only be realized in an improved and well facilitated and administration structure with experience among development workers within Homa Bay County and disseminating appropriate skills, knowledge and information in a usable form

COMMITTED to women, children, vulnerable persons and development through support of an active Community Development within Homa- Bay County

MINDFUL of the fact that it is desirable to address the specific needs and constraints of the community members through targeted support.

RESPECTFUL of GOD, the natural environment that is our heritage and source of livelihood, and, determined to sustain it for the benefit of intergenerational utilization through implementation of sound policies and strategies gained by way of development sourcing.

NOW THEREFORE, do hereby adopt and give to ourselves this constitution as a basis for the realization of our declared objectives: -

ARTICLE 1: ESTABLISHMENT

We hereby establish an Organization to be known as **COMUNITY ACTION FOR HEALTH & DEVELOPMENT{CAHED,}** herein after referred to as the Organization

1. The Organization shall be a non-political, independent, nonprofit making organization
2. This is a Community Based Organization (CBO) that will mobilize community members towards economic empowerment. That will be done by innovating intervention areas that are practically implementable and result driven. Community members will be sensitized on the need to channel their energy on areas that will ensure food security, eliminate ignorance and combat poverty while enabling them to achieve economic independence. This will consequently enable them to sustainably service education and quality health which are key attributes to improved livelihood.
3. The Organization shall work under the stewardship, guidance, facilitation, financial, infrastructural or otherwise and control from the county head office in Homa-Bay Kenya.

4. The Organization shall be registered as indicated above complete with a designated Office at Homa Bay County Headquarters for coordination of its activities in all the 8 sub-counties.

ARTICLE 2: SPECIFIC AIMS AND OBJECTIVES

Without prejudice to the generality of the objectives herein above listed, the aims and objectives for which the Group is established are: -

- i. To share, publish and disseminate information on the best development practices within Homa –Bay County and its environs.
- ii. To highlight the essential contribution of Education for Sustainable Development to all of education and to achieving quality education.
- iii. Build a firm foundation for further education and training.
- iv. To share publish and change the working communities into desirable societies with social cohesion change and tangible developments.
- v. To bring Community Development Workers in general, individuals and professionals of diverse backgrounds within Homa- Bay County to learn the challenges faced by the community members and appraise the development strategies employed by individual members/institutions through information sharing.
- vi. To focus on interventions that will result in higher returns from agricultural activities and higher returns on non-farm enterprise activities with access to market (demand driven) by creating access to financial, social and human capital for the poor in Homa-Bay county.
- vii. Improving performance of agriculture through application of appropriate farming techniques and promotion of agro-industries which is central to Homa-Bay County development and poverty alleviation. Improved productivity in farming has the highest potential to create jobs, increase returns to the assets that the poor possess – their labor and their lands – to improve food security and generate extra income.
- viii. To facilitate transformation of non-farm subsistence economy through small scale-medium industries and other business activities that generate income for the county poor including provision of skills training and guidance to increase the ability of the poor in managing small businesses so they can become self-reliant.
- ix. To improve food security, improve income and reduce poverty of poor small-holder farmers and marginalized youth by facilitating agricultural and non-agricultural value chain linkage intervention strategies in the county

- x. Identification and development of potential markets for products and services of the marginalized poor in our county.
- xi. Reduce poverty incidence of Homa-Bay County, through increased and diversified income generating opportunities so that the poor can benefit from devolution and new County Government.
- xii. To carry on the business of supporting the achievement of the Millennium Development Goals (MDGs) to halve extreme poverty by 2015 through bringing out pro-poor economic development programs while maintaining gender balance and environmental sustainability. For the rural small-holder farmer, we will focus on high yield-high value sectors such as dairy farming, poultry, fisheries, potatoes, fruits and vegetables, cassava, sweet potatoes, millet, sorghum and other crops that are non-rain fed dependent. We will help farmers to harvest rainwater and invest in appropriate technologies such as drip irrigation and greenhouses.
- xiii. Establish committees to challenge the diverse learning and affective needs of gifted and talented students across all grade levels, including curriculum differentiation targeting above-average students; more advanced enrichment, content, and acceleration for advanced learners; independent study and research; and counseling and other services to meet affective needs vulnerable children in our poor communities.
- xiv. To take such steps as may be necessary from time to time deemed expedient for the purpose of procuring contributions as funds to the organization in the form of annual subscriptions, donations or otherwise.
- xv. To employ advisors, experts and other staff, upon such terms and conditions as the Group in consultation with the head office and donors may consider fit, such persons as may be necessary for better conduct of the affairs and business of the Group and discharge of its objects.

ARTICLE 3: MEMBERSHIP

The membership of the Organization shall be:

Ordinary General Members: Any persons duly registered, upon filling and handing in, to the secretariat, a membership form, and or, having paid a membership fee of Kenya shillings **.one thousand only**. All members shall also remit annual subscriptions of Kenya shillings **one thousand only** and subscribe to the aims, objectives and functions of the organization and shall have voting rights.

Associate membership: Is open to all who share objectives or wish to help advance them but cannot become full ordinary members, these shall register with Kenya shillings **Two Thousand**

Shillings only and annual subscription of Kenya shillings **Five Thousand only**. And has no voting rights.

Institutional Membership: Is open to institutions i.e. International organizations, NGOs, Research organization working in the development of communities, they shall register with Kenya shillings **Ten Thousand Only** and annual subscription of Kenya shillings **fifty Thousand Only** and has no voting rights

Cooperate membership: Is open to Private sector institutions who has interest in working with the organization and shall subscribe to the objectives of the institutions, shall pay membership fee of Kenya shillings **Ten Thousand Only** And annual subscription of Kenya shillings **Fifty Thousand Only**

TERMINATION OF MEMBERSHIP

A member of the organization shall cease to be one on any of the following grounds: -

- i. Voluntary withdrawal – He/she gives a three-month notice in writing to the Committee of his intention to resign from membership upon the acknowledgement of the notice, he/she shall cease to be a member.
- ii. Expulsion for disgraceful conduct detrimental to the well being of the organization. Provided that a member shall be required to show course why he/she should not be expelled prior to being so expelled wit consent of board members.
- iii. Upon death, demise, incapacitation or dissolution of any member organization that renders such a member to being unable to be a member or otherwise not being able to execute his/her/its duties as a member.

ARTICLE 4: SUBSCRIPTION FEES, GRANTS AND DONATIONS

- (a) Members shall pay registration fees and annual subscription fees as is indicated in the above categories in article three of membership.
- (b) The Committee may revise the fees from time to time provided such adjustments do not bar or seem to restrict membership into any category.
- (c) The Organization may from time request for donations, grants and ex-gratia contributions from the partners or donors, members or non-members or from any other sources in order to enhance and strengthen the organizations financial and material base.
- (d) Any member may, at any time, give ex-gratia payments to the organization over and above the fees and annual subscription.

- (e) The Organization may also raise funds through any other lawful way it shall deem fit.

ARTICLE 5: OFFICE BEARERS

The office bearers of the group shall comprise of:

- The Chairperson
 - Vice -Chairperson
 - The Secretary
 - Vice secretary
 - The Treasurer
- ✓ All the office bearers shall hold office for a period of 5 years from the date of election.
- ✓ One qualifies for election if he/she has fully paid up all the entitled funds by the organization and also if he/she is committed to the welfare of the institution
- ✓ Any office bearer may be removed from the office by suspension during the General meeting.
- ✓ Any office bearer may also cease to be such official by resigning or upon death or involve in political position that may polarize the merits and downplay the set objectives of the organization.

ARTICLE 6: DUTIES OF THE OFFICE BEARERS.

The Chairperson

- a) Shall, unless prevented by removal from office or illness or other sufficient cause convene and preside over all the meetings of the Committee and all general meetings.
- b) He/she shall exercise full control and ensure good order and conduct of the organization members.
- c) He shall by virtue of his/her office make correspondence for and on behalf of the organization where circumstances so demand, for the purpose of furthering the aims and objectives of the institution.

The Vice Chairperson

- a) Shall discharge the responsibilities of the Chairman in the absence of the Chairman or as delegated by the Chairman.

The Secretary

- a) He/she shall deal with the correspondence of all manners to and/or from and/or within the organization under the general supervision of the Board members.
- b) He/she shall prepare and circulate to all members the notices of meeting agenda and minutes of the organization before such meetings take place.
- c) He/she shall take minutes of all meetings called by the organization at all levels.
- d) He/she shall be the sole financial custodian of all the organizations records with the general guidance of the board Committee members.

Vice Secretary

- ✓ Shall discharge the responsibilities of the Secretary in the absence of the Chairman or as delegated by the Chairman or the Secretary.

The Treasurer

- a) Shall be the sole recipient and in charge of good custody of all organizations money or funds and shall ensure that such monies are appropriately accounted for and records showing the same is reflected in the counter financial analysis register both bank/cash .
- b) Shall be responsible for the preparation of all transactions involving the organizations and any development partner with whom the institution shall be involved.
- c) He/she shall ensure proper accounting for any expenditure done and undertake to produce such records as and when required.
- d) He/she shall carry out her/his duties without interference from either within or without.

ARTICLE 7: MEETINGS

- a) There shall be four kinds of meetings; general meeting, special general meeting, Board Committee meetings and annual general meeting.
- b) The general meeting shall be held from time to time as the Chairman may deem fit
- c) Special general meeting may be required in writing to the Secretary by one-third [1/3] of fully paid up members for an urgent specific purpose.
- d) The Board Committee meetings shall be held after every one-month for specific purpose by the board members with the approval of the Chairman as may be communicated by the secretary.
- e) Annual general meeting shall be held annually from the date of the elections. Notice in writing of such annual general meetings accompanied by the statements 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 meeting.

ARTICLE 8: DISCIPLINE

- a) Any member may be expelled from membership if the board Committee recommends so but which recommendation shall be ratified by two-thirds [$\frac{2}{3}$] of the members present at a general meeting.
- b) A member who resigns or is expelled from the organization for whatever reason ceases to be a member.
- c) A member who resigns will be refunded all his/her shares minus all expenses incurred by the organization.
- d) Should a member miss to attend four consecutive meetings without proper explanation, he/she shall be suspended or stand expelled sue motto.
- e) Should a member fail to remit his/her contribution for three installments under any category of the aforementioned membership, he/she will be suspended sue motto.

ARTICLE 9: ELECTION FORMAT.

- a) All registered and fully paid up founder members are eligible voters and contestants.
- b) All elections shall be conducted annually through secret ballot or by show of hands at the general meeting.
- c) All the outgoing office bearers shall leave office immediately after the general election unless re-elected.
- d) All the general elections shall be presided over by a returning officer who must be an independent person appointed by the Director of Social service and Development.
- e) The returning officer shall announce the results of the election at the annual general meeting.

ARTICLE 10: PROCEDURE OF MEETINGS

- a) All meetings shall be opened by prayers.
- b) The Secretary shall read the minutes of the last meeting and then the Chairman shall counter sign the minutes if the members accept them.

- c) The chairman shall then declare the meeting open.
- d) The Chairman may, at his discretion limit the number of persons permitted to speak in favor or against a motion under discussion.
- e) The Chairman shall have powers to postpone the meeting if the members come late according to the scheduled time of commencement.
- f) The quorum to start the meeting shall not be less than two-thirds [$\frac{2}{3}$] of the registered members.

ARTICLE 11: FINANCE/FUNDS

- a) All the monies and funds collected on behalf of the organization shall be received by and paid to the account clerk with specification as treasurer and shall be deposited in the Bank A/C approved by the members.
- b) (I) The organization shall open current Bank Account.
 - (ii) No withdrawals shall be made out of the Bank Account without a resolution by the Committee authorizing such withdrawal.
 - (iii) The account to be operated by either two of the office bearers who are board of directors and will be signatories to the Bank account.

ARTICLE 12: DISSOLUTION

- a) The organization shall not be dissolved except by a resolution passed at the annual general meeting of the members by a vote of three quarters ($\frac{3}{4}$) of the registered members.
- b) Provided that no dissolution shall be affected without proper permission in writing of the District Social Development Officer obtained upon application to him made in writing and signed by three [3] members of the board.
- c) When the dissolution is approved by the County Director of Social services , no further action shall be taken by the Committee or any office bearer of the organization in the name of the organization in connection with the aims of the institutions other than to get in and liquidate for cash or assets of the organization subject to the payment of all debts of the organization, the balance thereof shall be distributed in such a manner as may be resolved by the meeting at which then the resolution is passed.