

K.C.I.A

CONSTITUTION

OF

KONGOLESE CENTRE

FOR

INFORMATION

AND

ADVICE

THE K.C.I.A CONSTITUTION**NAME, AIMS, OBJECTS AND REGISTERED OFFICE**

Clause I. The name of the organisation shall be:

Kongolese Centre for Information & Advice

Clause II. AIMS & OBJECTIVES OF THE ORGANISATION

The charity's objects ("the objects") are for the benefit of the **French, Portuguese** and **Lingala** speaking ethnic minority living, studying or working in the borough of Westminster in particular and Great London Boroughs.

- (a) The relief of poverty, hardship and distress, and
- (b) The protection and preservation of health, by the provision of advice, information and a translation service.

The register office for the organisation shall be at:

Kongolese Centre for Information & Advice
453 Harrow Road
London W10 4RG

Clause III. Powers

In furtherance of the objects but not otherwise the Executive Committee may exercise the following powers:

- (i) Power to raise funds and to invite and receive contributions provided that in raising funds the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the laws;
- (ii) Power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use;
- (iii) Power subject to any consents required by law to sell, lease or dispose of all or any part of the property of Charity;
- (iv) Power subject to any consents required by law to borrow money and to charge all or any part of the property of the charity with repayment of the money so borrowed;

- (v) Power to employ such staff (who shall not members of the Executive Committee) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision of the payment of pensions and superannuation for staff and their dependants;
- (vi) Power to co-operate with other charities, volunteers bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and exchange information and advice with them;
- (vii) Power to establish or support any charitable trusts, associations or institutions formed for all any of the objects;
- (viii) Power to appoint and constitute such advisory committees as the Executive Committee may think fit;
- (ix) Power to do all such other lawful things as are necessary for the achievement of the objects.

Clause IV COMMITTEE OF MANAGEMENT

The organisation shall have a Management Committee called "The Executive Committee", which shall manage the business of the organisation. The Executive Committee shall consist a minimum of six (6) members and a maximum of nine (9) members.

(a) EXECUTIVE COMMITTEE

The executive committees are all members of the organisation and shall manage the business of the organisation.

The management committee shall consist of the following officers:

1. One Chairperson
2. One Vice-Chairperson
3. One General Secretary
4. One Treasurer

Each executive committee member shall be officially nominated by a simple majority vote at Annual general Meeting at the end of their term. The Executive committee officers will be elected every year and stand for no more than two (2) terms.

(b) AN EXECUTIVE COMMITTEE MEMBER.

Shall:

- Be able to get involved irrespective of race, disability, class, sexuality, gender, religion other unrelated factors.
- Be committed to the values of the organization.
- Have a clear vision of where the organization is going.
- Understand responsibilities and role as a committee member
- Bring experience and skills which will allow the organization work to move forward.

Clause V. MEMBERSHIP

The members of the organisation shall be the persons whose names are appended to these rules. To be a member, you shall satisfy the criteria listed: (for the purpose of the Administration)

- Be resident in the U.K and aged between 18 and over.
- No person who is a minor shall be admitted to membership.
- A person shall cease to be a member of the organisation if he/she dies, is expelled or withdraws from the organisation.
- Any member may withdraw from the organisation by giving the Secretary one month's notice in writing of his/hers intention so to do.
- A member may be expelled by a resolution carried by the votes of two-third of the members present in person or by proxy and voting on a poll at an annual or special general meeting of the organisation of which notice has been duly given, provided that a complaint shall contain particulars of the conduct complaint and to attend the meeting called under this rule. At such meeting the members shall consider evidence in support of the complaint and such evidence as the member may wish to place before them.
- A person expelled from membership shall cease to be a member at the expiration of 28 days from the date at which the resolution to expel him/her was carried under the preceding paragraph of this rule.
- An application form for membership shall be obtained from K.C.I.A office with the sum of £ 2.00 to join the organization
- The applicant name and address shall be entered in the register of members and only one share in the organisation is issued to the applicant.

Clause VI. MEETINGS AND PROCEEDINGS

The Committee shall meet as may be deemed necessary or as and when required but not less than Eight (8) times in every calendar year. Every last Saturday or Sunday of the month a meeting shall be held at such time and place that the Committees shall determine.

Five (5) Committee members or such higher number as the Committee may determine shall form a quorum. And notwithstanding any vacancies on the Committee, the remaining Committee may continue to act. If at any time the number of Committee members falls below the number necessary for quorum the remaining Committee may act as the Committee for a maximum period of six (6) months, but if at end of that period the Committee has not appointed new Committee members to make the number up to that necessary for a quorum, the only power which the Committee may thereafter exercise shall be the convening of a general meeting of the organization which may appoint Committee members to comply with rule of the organization.

The committee shall at the end of their first term, elect a new Committee member from their own number to hold office for the next period of term.

The Chairperson chair all the meeting of the Executive Committee and if this one is absent for some reason then the Vice-chairperson will chair.

The chairperson may at any time call up on a special general meeting and the secretary shall within three weeks inform the rest of the committee and giving reasons for the request.

VI. (a) GENERAL MEETING

A general meeting shall be held once a year and shall take place and timed in a such way that it is convenient to all members of the Committee. The Annual general meeting shall be focus on:

1. The Annual report of the executive committee on their work for the organisation and their activities during the preceding year.
2. To consider any plans of which due notice has been given.
3. To consider and vote on proposals to alter the constitution in accordance with clause.
4. To note the appointment of representative members of the general committee.

VI. (b) RULES AND PROCEDURES AT ALL MEETINGS**1. Standing orders and rules.**

The committee shall have power to adopt and issue standing orders or rules for the organization. Such orders/rules shall come into operation immediately provided that they shall always be subject to review by the organization in the Annual general meeting.

2. Voting.

All questions raised during any meeting shall be decided by simple majority of those present and entitled to vote thereat. No committee shall have more than one vote notwithstanding that he or she may have been appointed to represent two or more interest. In case of an equality to vote, the Chairperson shall have a second or casting vote.

3. Notice

All members of executive Committee must take full responsibility of any kind of discriminatory behaviour. It is their duty to bring to the attention of the Management Committee members any breach of the clauses as soon as they become aware of it.

VI. (c) DUTIES OF THE CHAIRPERSON/ VICE CHAIR

He/ she will bring the meeting to order; manage discussions and debates fairly allowing everyone to participate; ensuring that the constitution is adhered to; planning and preparing structure of the meetings and agenda in consultation with the group. Summarise discussions; controls the meeting; signs minutes when agreed.

VI. (d) DUTIES OF THE SECRETARY

The secretary or any other person appointed specially by the Executive Committee will be responsible for data entry in the book where all the proceedings and resolutions are accordingly recorded.

The Secretary shall perform the following duties:

- He /she summons and attends all meetings of the organisation and the Committee, he/she shall record correctly the names of the officers there present and shall keep minutes thereafter in such form as the Committee may direct.
- He/she shall receive proposals for admission to the organisation, and shall hand over to the Treasurer all monies received by him/her.
- He/she shall keep the register of the Committeemen; and shall prepare and send all returns required to be made to the registrar. He/she shall have charge of the seal of the organisation.
- He/she shall produce or give up all books, documents and property of the organisation in his/hers possession whenever required so to do by a resolution of the Committee.

VI.(e) DUTIES OF THE TREASURER

The treasurer shall have the following duties:

- He/she shall receive all contributions, fines and other payments due to the organisation from committeemen and other persons, and may pay over the amount so received as the Committee may direct; he/she shall pay all demands when ordered so to do by the Committee.
- He/she shall not pay any money without written authority signed by the chairperson (or his/her absence the Vice-Chairman) or in the case of incapacity the Secretary or two Committeemen.
- He/she shall produce or give up all books, documents, money and property of the organisation in his/hers possession when required so to do by a resolution of the Committee or of the organisation, and render a full and clear account at each audit, and whenever required by a resolution of the Committee.

VI.(f) INDEMNITY OF OFFICERS

Every officer shall be indemnified by the organisation against all costs, losses and expenses which he/she may reasonably incur in the discharge of his/hers duties including traveling expenses and the amount for which such indemnity is provided shall immediately attach as charge on the property of the organisation.

No officer shall be liable for any loss happening to the organisation through the execution of his/hers duties of his/hers office, unless the loss be the consequence of his/hers dishonesty or gross negligence.

VI. (g) HONORARY OFFICERS

Two Honorary Officers shall be appointed from the Executive Committee to assist the elected Chairperson running the office until the end of the term. They shall be the Counselling Officer and the Information Officer. All acts and proceedings from those officers are reported to the Executive Committee meeting by writing.

If any member of the executive committee fails to attend four consecutive committee meetings without adequate reasons or excuses, the other members of the committee will meet to decide for his/her future in the committee. The committee shall order him/her to resign.

Clause VII. FINANCE

(a) BANK ACCOUNT

A bank account is opened under the organization with the authorization of the Executive Committee to allow only the General Secretary and two other executive committee members to monitor the account.

(b) THE MANAGEMENT COMMITTEE SHALL

Comply with theirs obligations under the charity act 1993 (or any statutory re-enactment or modification of that Act) with regard to:

- Keeping daily accounting records for the organization
- Preparing annual account statement
- Transmitting statement of the accounts to the commissioners
- Carrying auditing trail or independent examination of the accounts.

CLAUSE VIII. TRUSTEES NOT TO HAVE A PERSONAL INTEREST

“Except with the prior written approval of the Charity Commissioners no trustee may”:

- (1) Receive any benefit in money or in kind from the charity; or
 - (2) Have a financial interest in the supply of goods or services to the charity;
- Or
- (3) Acquire or hold any interest in property of the charity (except in order to hold it as trustee of the charity)

1. Sources.

Source of finance are Donations and funds raising activities organized on behalf of K.C.I.A.

2. Receipts and expenditures.

The organisations shall have the power to obtain, collect and receive money and funds by means of contributions, grants, donations or any other lawful means. Then all these shall be paid into an account operated by the executive committee in the name of the organization.

Clause IX. POWER OF THE AMENDEMENT

- (1) Subject to the following provisions of this clause the constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.
- (2) No amendment may be made to **clause I** (the name of the charity clause), **clause II** (the objects clause), **clause III** (executive Committee members not to be personally interested clause), **clause X** (the dissolution clause) or this clause without the prior consent in writing of the Commissioners.
- (3) No amendment may be made which would have the effect of making the Charity cease to be a charity law.

- (4) The executive Committee should promptly send to the Commission a copy of any amendment made under this clause.”

X. POWER OF DISSOLUTION

If the Executive Committee decides at any time that on the ground of expense it is necessary or advisable to dissolve the organisation, it shall call a meeting of all members of the organisation to vote and given at least 21 days notice posted to them.

If the decision is confirmed by two-third majority of the present members and voting for such reasons the Executive committee shall have a power to dispose of any assets held by the organisation to another charitable organisation having similar objects.

A copy of the statement of the account of the final accounting period of the organisation must be sent to the Commissioners.

XI. EQUAL OPPORTUNITY

The employment procedures and service deliver will be undertaken in accordance with the following legislations:

- A. – Disabled persons (Employment) Act 1944 and 1954.
_ Equal Pay Act 1970 and Amendment Regulation 1986
_ Chronically Sick and Disabled Persons Act 1970
_ Rehabilitation of Offenders Act 1970
_ Race Relations Acts 1970
_ Sex Discrimination Act 1976/85
- B. The **K.C.I.A** will control and keep under review its Procedures and Practices to assess the impact of the policy in the following areas:
_ Job description
_ Application forms
_ Short listed candidates and interviews.

To implement this policy, K.C.I.A accepts it needs to be confident that recruitment and selection procedures are fair and consistent.

To do so, **K.C.I.A** recognises that it needs to promote and provide training for selected candidates.

- C. Job description/person specifications: whenever a job
- D. Vacancy occurs within the association, all criteria must follow the above legislations.

XII. ACCEPTANCE OF THE CONSTITUTION

This document (Constitution) was amended, adopted and approved by the Board Members (Trustees) of the organization whose names appear on the page 11 of the constitution.

They were:

Name: Mr KANWAR BHAN **Organisation:** S.S.SOLICITOR
Address: 38 Lower Villiers Street,
WOLVERHAMPTON,
WV2 4NA
Position: The Chair

Name: Mr Osibisa Okponobi **Organisation:** WSPM Agape Project
Address: Unit 4, 51 Elgin Avenue
London
W9 3PP
Position: Vice - Chair

Name: Ms NAFISATU SWARAY
Address: 17 Toorack Road,
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Phone: HA3 5HR
02088637524
Or email: nafybangs@yahoo.com
Position: **Treasurer**

Name: Mrs SAWOR M. AKTHER
Address: 87 Keyham House,
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Position: **General Secretary**

Name: MRS JEANNE BOKETSHU
Address: 58 Winterleys House,
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Position: Senior Advisor

Name: Ms SYLVIE ROSE BAMOSHI
Address: 159 East Lane,
North Wembley,
Middlesex
HA9 7PE
Position: Senior Advisor

Name: Ms Essiya Muzumu **Organisation:** Ginagi Foundation
Address: 11 Litteton House,
Churchil Gardens,
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SW1V 3EP
Position: Senior Advisor

Name: Mrs NGALULA MUSAU MAKOYI
Address: 184 Marsh Lane,
Stanmore Middlesex,
HA7 2SL
Position: Senior Advisor

Signed on behalf of the boards of the Management Committees



Mr Kanwar Bhan, The Chairperson

