



# WIDE CONSTITUTION 2019

## TABLE OF CONTENTS

TABLE OF CONTENTS .....	i
PART I: PRELIMINARIES .....	1
ARTICLE 1: SHORT TITLE AND COMMENCEMENT .....	1
ARTICLE 2: INTERPRETATION .....	1
ARTICLE 3: PREAMBLE .....	1
PART II: CONSTITUTION, NAME OF THE ORGANIZATION, HEAD OFFICE, AND OPERATION AREA OF OPERATION .....	1
ARTICLE 4: CONSTITUTION .....	1
ARTICLE 5: THE ORGANIZATION NAME .....	1
ARTICLE 6: HEAD OFFICE .....	1
ARTICLE 7: REGISTRATION .....	2
ARTICLE 8: AREA OF OPERATION .....	2
PART III: VISION, MISSION, OBJECTIVES AND PROTECTION OF THE ORGANIZATION. ....	2
ARTICLE 9: VISION STATEMENT .....	2
ARTICLE 10: MISSION STATEMENT .....	2
ARTICLE 11: OBJECTIVES .....	2
ARTICLE 12: APPLICATIONS OF PENAL CODE AND CONTRAVENING BY LAWS .....	2
PART IV: MEMBERSHIPS AND TYPES OF MEMBERSHIP .....	3
ARTICLE 13: MEMBERSHIP .....	3
ARTICLE 14: TYPES OF MEMBERS .....	3
ARTICLE 15: RIGHTS OF MEMBERS .....	3
ARTICLE 16: OBLIGATIONS OF MEMBERS .....	4
ARTICLE 17: CESSATION OF MEMBERSHIP .....	4
PART V: ORGANIZATIONAL STRUCTURE AND OFFICE BEARER .....	4
ARTICLE 18: CHAIRPERSON .....	4
ARTICLE 19: EXECUTIVE SECRETARY .....	4
ARTICLE 20: TREASURER .....	5
PART VI: ELECTION AND TERM OF LEADERSHIP .....	6
ARTICLE 21: OFFICE BEARER .....	6
ARTICLE 22: BOARD MEMBERS .....	6
ARTICLE 23: FUNCTIONS AND DUTIES OF BOARD MEMBERS .....	6
PART VII: GENERAL MEETINGS OF THE ORGANIZATION .....	7
ARTICLE 24: COMPOSITION OF GENERAL MEETINGS .....	7
ARTICLE 25: POWERS AND FUNCTIONS OF THE GENERAL MEETING. ....	7
ARTICLE 26: DELEGATION OF POWERS .....	7
ARTICLE 27: ANNUAL GENERAL MEETING .....	7
ARTICLE 28: EXTRA ORDINARY GENERAL MEETING .....	8
PART VIII: FINANCIAL MANAGEMENT, SOURCES OF FUNDS AND USES OF FUNDS .....	8
ARTICLE 29: FINANCIAL YEAR .....	8
ARTICLE 30: SOURCES OF FUNDS .....	8
ARTICLE 31: USES OF FUNDS .....	8
ARTICLE 32: BANK ACCOUNT .....	8
ARTICLE 33: ANNUAL REPORT .....	8
ARTICLE 34: AUDIT AND CONTROL .....	9
PART IX: CONSTITUTIONAL AMENDMENTS, DISSOLUTION AND COMMON SEAL .....	9
ARTICLE 35: CONSTITUTIONAL AMENDMENTS .....	9
ARTICLE 36: DISSOLUTION .....	9
ARTICLE 37: THE COMMON SEAL .....	9
PART X: MISCELLANEOUS DISPOSITION .....	9
ARTICLE 38: CONFLICT RESOLUTION .....	9

## PART I: PRELIMINARIES

### ARTICLE 1: SHORT TITLE AND COMMENCEMENT

This instrument shall be known as the constitution of **Wote Initiative for Development Empowerment (WIDE)** of 2018 and shall come into operation upon being registered by the Registrar.

### ARTICLE 2: INTERPRETATION

In this constitution unless the context requires otherwise,

“Office bearer” shall include Chairperson, Executive secretary and Treasurer.

“The organization” means **Wote Initiative for Development Empowerment (WIDE)**

“Registrar” refers to the Registrar of NGOs as per Act No 24 of 2002.

### ARTICLE 3: PREAMBLE

The community is being faced with many problems such as extreme poverty, ignorance, injustice, destruction of environments and poor health services. All these become great hindrance of its economic sustainability.

**NOW THEREFORE** the First General Meeting of the members hereby adopts the **CONSTITUTION** to establish an organization to be known as **Wote Initiative for Development Empowerment (WIDE)** so as to supplement governments’ efforts in ensuring community livelihood.

## PART II: CONSTITUTION, NAME OF THE ORGANIZATION, HEAD OFFICE, AND OPERATION AREA OF OPERATION.

### ARTICLE 4: CONSTITUTION

This constitution is the fundamental instrument that shall govern the affairs of the organization and its operation.

### ARTICLE 5: THE ORGANIZATION NAME

The name of the organization is **Wote Initiative for Development Empowerment (WIDE)**

### ARTICLE 6: HEAD OFFICE

The head office of the organization shall be at The head quarter of organization is found at KKKT Kijitonyama Street plot no. 445 Dar es Salaam. P.O. Box 1412, Dar es salaam.

## ARTICLE 7: REGISTRATION

The Organization shall be registered under the NGOs Act No. 24, 2002, as amended in 2005.

## ARTICLE 8: AREA OF OPERATION

The Organization's activities will be carried out in Tanzania Mainland.

## **PART III: VISION, MISSION, OBJECTIVES AND PROTECTION OF THE ORGANIZATION.**

## ARTICLE 9: VISION STATEMENT

Economically stable, healthy, just, and well-educated community within a conducive environment.

## ARTICLE 10: MISSION STATEMENT

Support the entire community in attaining good agricultural husbandry, better education, good health services and equality through education, empowerment, and support through participatory approach.

## ARTICLE 11: OBJECTIVES

- a. To empower the community on eradication of poverty and encourage best practices in Good governance, access to justice and child protection
- b. To raise awareness among community members on gender and human rights protection and preservation.
- c. To facilitate education improvement for children and youth through advocacy and lobbying of resources allocation.
- d. Advocate for a fight and support to the persons living with HIV/AIDs and other chronic diseases.
- e. Promote the provisions of better health services to the community.
- f. To bring about lasting changes to ensure children and women are safe and protected.
- g. Promoting access to justice for all, children and women in Tanzania
- h. To ensure communities have access to improved sanitation, hygiene and safe drinking water

## ARTICLE 12: APPLICATIONS OF PENAL CODE AND CONTRAVENING BY LAWS

This Constitution or subsequent Rules and Regulations made under its authority shall not exclude in any manner whatsoever the application of the Penal Code (Cap.16 of the Laws of Tanzania R.E. 2002) or any other law with similar effects on criminal matters and generally the application of the laws of the United Republic of Tanzania on any matter regarding the management and administration of the Organization.

## **PART IV: MEMBERSHIPS AND TYPES OF MEMBERSHIP**

### **ARTICLE 13: MEMBERSHIP**

Membership of the organization shall be open to any individual who is:-

- a. Tanzanian
- b. Aged 18 years or above
- c. Of sound mind and
- d. Willing to volunteer for the organization goals.

### **ARTICLE 14: TYPES OF MEMBERS**

The organization shall have three categories of members:-

- (i) **Founder Members**  
These are members whose names appear in the resolution and have facilitated the establishment of the Organization.
- (ii) **Ordinary Members**  
These are members who shall join the organization after being registered.
- (iii) **Honorary Members**  
These are members of organization who have become members after being appointed by the General meeting as a recognition of their contribution/ support to the organization objectives.

### **ARTICLE 15: RIGHTS OF MEMBERS**

For the purpose of building efficiency and better performance, each member shall be free, and have equal opportunity to air his views and respect others' views so as to bring harmony among the members of the organization and his or her rights shall include;

- a) Right to participate in the organization activities
- b) Right to get information
- c) Right to vote and or be voted for the organization leadership save for honorary members.
- d) To attend meeting of the organization
- e) To be given copy of the constitution

## ARTICLE 16: OBLIGATIONS OF MEMBERS

- a) Each member shall have the following obligations,
- b) To pay prescribed fees
- c) To respect and adheres to this constitution and bylaws made thereto.
- d) Volunteer his skills and efforts to accomplish the organization goals

## ARTICLE 17: CESSATION OF MEMBERSHIP

Membership shall come to an end upon happening of the following:-

- a) Voluntarily resignation
- b) Death
- c) Being terminated by the general meeting upon violation of this constitution.
- d) If he /she becomes of unsound mind
- e) Failure to pay subscriptions for two years consecutively
- f) Failure to attend 3 Organizations meetings consecutively without sufficient notice
- g) Dissolution of the Organization.
- h) Being imprisoned for 6 months or above.

## **PART V: ORGANIZATIONAL STRUCTURE AND OFFICE BEARER**

### ARTICLE 18: CHAIRPERSON

There shall be the Chairperson of the organization who is the top leader and overall in charge of the administration and executing of the organization's programs and activities. Chairperson's duties and responsibilities shall be:-

- i. To preside at all relevant meeting of the Organization.
- ii. To be the contact person of the Organization, direct and oversee the functions of the Organization.
- iii. Represent and/or enter into partnerships and agreements with other bodies on behalf of the Organization after consultations with the Board.
- iv. May take actions and disciplinary action against any employee or volunteer for the interest of the Organization.

### ARTICLE 19: EXECUTIVE SECRETARY

There shall be Executive secretary who shall:-

- i. Plan, develop and administer the affairs of the Organization and coordinate all programmers carried out by the organization.
- ii. Arrange the meeting of the Organization on instructions of the Board and keep minutes of the Meetings convened by the Organization.
- iii. To be the custodian of the Seal of the Organization.
- iv. To keep and maintain the Organization's Membership Register.
- v. To carry out all correspondence and publicity on behalf of the Organization.
- vi. To submit an annual report on the activities of the Organization at every General Meeting.
- vii. To be a signatory to all cheques, other withdrawal papers and the Organization official documents.
- viii. To perform other duties as may be assigned by the Chairperson and / or other organ of the Organization.

#### ARTICLE 20: TREASURER

There shall be treasurer of the organization whose functions are:-

- i. To mobilize revenue through grants, donations and fund raising activities.
- ii. To prepare budget and financial reports of the organization.
- iii. To keep properly and in order the books of accounts.
- iv. To keep moneys of the organization in accordance with financial rules and regulation.
- v. To collect the organization's subscriptions.
- vi. Signatory to bank cheques and other withdraw documents pertaining to organization fund.
- vii. To perform any other duties as may be assigned by the Board or the General Meeting.

## **PART VI: ELECTION AND TERM OF LEADERSHIP**

### **ARTICLE 21: OFFICE BEARER**

The office bearer shall be elected by the general meeting among members to hold an office for a term of three years; however they may be re elected for another term of three years which shall be final for the same position.

### **ARTICLE 22: BOARD MEMBERS**

- i. There shall be The Board of Directors of the Organisation composed of not less than five (5) members appointed by the Organisation basing on the skills and experiences that have merit to the organisation. The chairperson, Executive secretary and treasurer shall be members of the Board by virtue of their position.
- ii. Membership to the Board shall be of three years and when the term of three years is complete, Board Members may be re appointed for only one more term.
- iii. The board of directors shall meet at least three times in a year except where there is urgent issue that will necessitate the special meeting and the Chairperson shall be elected among Board members by themselves.
- iv. At least 1/2 of board members must be present as a quorum for the board meeting to take place.
- v. All board members shall be given at least twenty one (21) days' notice of a meeting unless it is deemed an emergency.

### **ARTICLE 23: FUNCTIONS AND DUTIES OF BOARD MEMBERS**

The Board of directors shall:-

- i. Be the chief advisory organ and overseer of the Organization
- ii. Plan and recommend on the ways the Organization can raise its funds
- iii. Be the disciplinary organ of the Organization
- iv. Shall be the policy making organ
- v. Shall review constitution amendments recommendations
- vi. Shall review and make rules and regulations
- vii. Shall propose external auditor
- viii. Shall advise on general administrative and proper management of the Organization
- ix. Advise on the budget, program and projects of the Organization.
- x. Shall perform any other lawful duty as directed by the General Meeting.



## **PART VII: GENERAL MEETINGS OF THE ORGANIZATION**

### **ARTICLE 24: COMPOSITION OF GENERAL MEETINGS**

The Supreme organ of the organisation shall be General Meeting that shall be composed of all members of the Organization.

### **ARTICLE 25: POWERS AND FUNCTIONS OF THE GENERAL MEETING.**

The general meeting shall have the following powers and functions:-

- i. Elect office bearers of the Organization
- ii. Appoint Board Members
- iii. Amend the Constitution
- iv. Approve new members and Expel member from the Organization.
- v. Approve policies, rules and regulations made by board of directors
- vi. Approve budget, financial report and organisation work plans and projects
- vii. Discuss and deliberate on various policies, vision, and directions for the future
- viii. Formulate and recommend criteria to be used in the allocation of Organization's funds
- ix. Evaluate and discuss the performance of the organisation's leaders and staffs
- x. Discuss and evaluate the implementation of policies and programs
- xi. Approve the appointment of external auditors.

### **ARTICLE 26: DELEGATION OF POWERS**

The General Meeting may delegate its powers to the Board of Directors in a specific matter and the Board of Directors will then be required to submit a report to the next general meeting.

### **ARTICLE 27: ANNUAL GENERAL MEETING**

- i. The Organization shall have its Annual General Meeting once a year in calendar year.
- ii. Notice of the meeting shall be issued to members (30) thirty days before the date of the meeting and shall specify the agenda of the meeting, venue and time for the meeting.
- iii. Annual General Meeting shall make binding decision when two third (2/3) of all members will be present. If the meeting will be rescheduled for want of a quorum, the decision of members attended such meeting shall be binding.

## ARTICLE 28: EXTRA ORDINARY GENERAL MEETING

- i. There shall be Extra Ordinary General meeting which shall be convened by the Board or 2/3 of members requiring the Executive Secretary to convene the meeting when urgent matter that requires member's decision arises and cannot wait for Annual General Meeting.
- ii. The notice for the meeting shall be issued not later than seven (7) days before the date scheduled for the Meeting. And Extra Ordinary General Meeting shall make binding decision when half (1/2) of all members shall be present.

## **PART VIII: FINANCIAL MANAGEMENT, SOURCES OF FUNDS AND USES OF FUNDS**

### ARTICLE 29: FINANCIAL YEAR

Financial year shall commence on 1<sup>st</sup> January and ends on the 31<sup>st</sup> December each year.

### ARTICLE 30: SOURCES OF FUNDS

The organizations' sources of fund shall be:-

- a) Voluntary contribution or donation from individuals, companies, foreign and local donors and institutions that may wish to support the objectives of the organization.
- b) Internal and external aid, loans as well as grant aid.
- c) Income generated from economic project established by the organization
- d) Fees and annual subscription from the members.
- e) Fundraising events

### ARTICLE 31: USES OF FUNDS

The funds and assets of the Organization shall be applied solely towards the promotion of the object of the Organization as set forth in this constitution.

### ARTICLE 32: BANK ACCOUNT

The organisation shall open a bank account(s) in its name. The signatories of the Account shall be the Chairperson and Executive Secretary as **Group "A" signatories**, one member appointed by the General Meeting and the Treasurer as **Group "B" signatories**. The money shall be withdrawn when the document is signed by not less than two signatories one from each Group.

### ARTICLE 33: ANNUAL REPORT

There shall be annual reports containing an audited annual financial report and annual activities report prepared by the office bearer and presented to the

General Meeting for discussion and approval. The report shall be submitted to the Registrar as required by the laws and to any other organisations' stakeholders.

#### ARTICLE 34: AUDIT AND CONTROL

Once at least in every year the accounts of the organization shall be examined and the correctness of the Income and expenditure account and balance sheet ascertained by one or more properly qualified auditor or Auditors to be selected by the General Meeting upon recommendation from the Board.

### **PART IX: CONSTITUTIONAL AMENDMENTS, DISSOLUTION AND COMMON SEAL**

#### ARTICLE 35: CONSTITUTIONAL AMENDMENTS

- i. This constitution can be altered or amended partly or wholly if deemed necessary by special resolution which will be supported by 2/3 of members of the General Meeting
- ii. Notices for any proposed amendment shall be communicated to all members at least thirty (30) days before the date set for the discussion of the proposed amendment

#### ARTICLE 36: DISSOLUTION

- i. The organisation shall not be dissolved unless by a resolution passed by 2/3 of all members of the organisation in the General Meeting called specifically for that purpose or by operation of law.
- ii. Upon dissolution and after payments of the debts owed by the Organization (if any), the remaining assets shall be transferred to other Organization having similar objectives to this organisation.

#### ARTICLE 37: THE COMMON SEAL

There shall be a common seal, which shall bear the name and postal address of the Organization, the seal shall be stamped to all organisation documents requiring it in the presence of Chairperson or Executive Secretary who shall record the uses.

### **PART X: MISCELLANEOUS DISPOSITION**

#### ARTICLE 38: CONFLICT RESOLUTION

All disputes within the Organization shall be settled by the Board of Directors, the aggrieved part on the decision of the Board shall be allowed to present the matter to the General Meeting. The General Meeting shall determine the matter. Failure to settle it shall refer the matter to the Registrar.