

CONSTITUTION, RULES AND REGULATIONS

OF

AFRICAN PARLIAMENTARIANS NETWORK
AGAINST CORRUPTION
GAMBIA CHAPTER

THE PREAMBLE

We, the members of the African Parliamentarians Network against Corruption, Gambia Chapter assembled on the 9th September, 2005 in Banjul, Republic of the Gambia.

- RECOGNISING:** The supremacy of parliament as an institution to whom the government is answerable and accountable.
- AFFIRMING:** That the commitment and capacity of African Parliamentarians to fight corruption must be strengthened.
- AWARE:** That corruption poses a grave danger to the well-being of African peoples and to the development of their countries.
- ALARMED:** That corruption diverts scarce resources from basic human needs and destroys confidence in the integrity of our institutions.
- CONCERNED:** That it is essential that we develop healthy, balanced relations between the state, civil society and the marketplace and that parliaments to strengthened as effective institutions of accountability in overseeing the policies and actions of governments.
- ACKNOWLEDGING:** That corruption can best be controlled by strengthening systems of accountability, transparency and public participation in the governance processes of our countries.
- REALIZING:** The great value of African parliamentarians coming together to share information, experience and lessons in strengthening parliament in the fight against corruption.
- REITERATING:** Our commitment to strengthen the commitment and capacity of African parliamentarians to fight corruption by:
- Building the commitment and capacity of parliaments to exercise accountability with particular relation to financial matters.
 - Sharing information lessons learned and best practices
 - Undertaking projects to control corruption
 - Cooperating with organizations in civil society with shared Objectives

Do hereby resolve and it is **RESOLVED** to form the African Parliamentarians Network Against Corruption Gambia Chapter as a tool for strengthening Parliament's contribution to the fight against corruption.

CHAPTER ONE

ARTICLE 1: NAME

The name of the Network shall be *African Parliamentarians Network against Corruption Gambia Chapter* (hereinafter called “APNAC”)

ARTICLE 2: REGISTERED OFFICE

The first registered office of the chapter shall be situated within the Greater Banjul Gambia and shall serve as its Secretariat.

ARTICLE 3: AIMS AND OBJECTIVES

The objects for which this chapter is established are:

- (a) To build the commitment and capacity of Gambian National assembly members to exercise accountability, with particular relation to financial matters.
- (b) To share information on lessons learned and best practices.
- (c) To undertake projects to control corruption.
- (d) To cooperate with organization in civil society with shared objectives.
- (e) To raise general awareness on the issue of corruption at all levels of society.
- (f) To sensitize, educate and make aware the population on the existence, treat and danger of corruption.
- (g) To campaign for inclusion of corruption issues to be in government priority programs
- (h) To advocate for and encourage the improvement of state capacity to timely address and handle matters related to corruption.
- (i) To liaise with national and international organisations and institutions on all matters of corruption.
- (j) To mobilise internal and external resources to promote anti-corruption programs.
- (k) To develop links with the other oversight committees of our National Assembly Parliamentarians across Africa.
- (l) To do all such other things as are incidental or conducive to the attainment of these

objects or any of them.

CHAPTER TWO

ARTICLE 1: MEMBERSHIP

Membership of the Chapter shall comprise the following:

(i) Founding Members

These are National Assembly Members willing to be members and attended the meeting held in Banjul, Republic of Gambia on 9th September, 2005

(ii) Full Members

These include all National Assembly Members who are committed to the objectives of the chapter. Applications for membership shall be made in the form prescribed by the chapter and shall be subject to approval by the Coordinating Committee.

(iii) Honorary Members

These include any other members of the public such as experts in anti-corruption, ex-parliamentarians or members of legislative staff who have a vested interest in the objectives of the chapter Applications for members shall be subject to approval by the Coordinating Committee.

(iv) Observer Status Members

These will include donor countries and other international organisations funding the chapter.

(v) Membership

The Membership Fees shall be:-

- (a) Founding members D500.00 on acceptance and annual subscription of D250.00 payable on 1st June.
- (b) Full Members D300.00 on acceptance and annual subscription of D250.00 payable 1st June.
- (c) Honorary Members D150.00 on acceptance unless offered membership by the Chapter Co-ordinating Committee.

ARTICLE 2: CODE OF CONDUCT

- (a) Each member shall strive to behave in a manner which upholds the integrity of the chapter.
- (b) Each member shall strive to strengthen the commitment and capacity of National Assembly Members in their fight against corruption.

ARTICLE 3: CESSATION OF MEMBERSHIP

- (a) A person shall cease to be a member:
 - (i) By signing under his/her hand a resignation addressed to the Chairperson at anytime.
 - (ii) If he/she fails to fulfill his/her obligation to the chapter or commits an act which amounts to a breach of the objectives of the chapter. Provided that this decision shall be taken by the Coordinating Committee subject for approval by the general meeting of the chapter.
 - (iii) If he/she is convicted of a criminal offense not including traffic and minor criminal offences by a competent court.
- (b) If a member of the chapter is not re-elected to the National Assembly, he/she may retain member status of the chapter or opt for Honorary membership.

CHAPTER THREE

ARTICLE 1: ADMINISTRATIVE ORGAN

- (a) The administration of the chapter shall be vested in the Coordinating Committee, which shall comprise of the Chairperson, Vice-Chairperson, Secretary, Treasurer and up to 4 other elected members.
- (b) The Coordinating Committee shall strive to be gender inclusive.
- (c) The Coordinating Committee shall have power to create sub-committees for specific tasks as required.
- (d) There shall be a secretary to deal with the day to day running of the secretariat.

ARTICLE 2: ELECTION OF OFFICE BEARERS

The first Coordinating Committee shall remain in office for a term of three years. Thereafter, members will be re-elected at the biannual general meeting of the chapter.

The Chairperson of the First Coordinating Committee of the chapter shall be as elected at the inaugural meeting held in Banjul, Republic of Gambia on 9th September, 2005.

ARTICLE 3: FUNCTIONS OF THE COORDINATING COMMITTEE

In addition to all the roles hereby expressly conferred upon them and without detracting from the generality of their power under any other article, the Coordinating Committee shall have the following duties and responsibilities, namely:

- (a) To act as the official spokes organ of the chapter
- (b) To facilitate and promote communication between members of the chapter.
- (c) To expand the funds of the chapter in such a manner as they shall consider most beneficial for the purposes of the chapter.
- (d) To enter into contracts on behalf of the chapter.
- (e) To make, and from time to time repeal or alter, regulations as to the management of the chapter and the affairs thereof, and as to the duties of any officers or servant of the chapter and as to the conduct of business by the Coordinating Committee or any sub-committee, as to any of the matters or things within the powers or under the control of the Coordinating Committee, provided that the same shall not be inconsistent with the Constitution.
- (f) To delegate all or any of their powers to any Sub-Committee.
- (g) To discipline all employees of the chapter
- (h) Generally to do all things necessary or expedient for the due conduct of the affairs of the chapter not herein otherwise provided for.

ARTICLE 4: MEETINGS

- (a) The Inagural meeting shall also be the first Annual Meeting.

- (b) The Coordinating Committee of the chapter shall meet as often as is necessary but must meet at least once quarterly.
- (c) The chapter shall hold a biannual general meeting. General meetings are to include, all members of the coordinating committee and the other members.
- (d) The Coordinating Committee may convene an extraordinary general meeting whenever they think fit.
- (e) Notice of 7 days must be given to convene a meeting.
- (f) Quorum;
- (g) At any extraordinary general meeting summoned on requisition on third of the requisitionists shall be a quorum, but in all other cases, half of members to attend shall be a quorum at general meeting.
 - (ii) Quorum for the Coordinating Committee shall be 3 members.

ARTICLE 5: CONDUCT OF BUSINESS AT GENERAL MEETINGS

- (a) at any Coordinating Committee meeting at which the Chairperson or Vice-Chairperson shall not take the chair the meeting shall elect a member in that order of Chairperson.
- (b) The Chairperson at any general meeting shall be the Head or another elected member.
- (c) No member shall have more than one vote, except that in any case of equality of votes on a division the Chairperson shall have a casting.
- (d) Any donors or well-wishers of the Chapter (not being Members) as the Coordinating Committee shall determine, shall be entitled to be present and speak at any meeting, but shall not have any right to vote.
- (e) The Chapter secretary will attend meetings so as to provide proper documentation and assistance to members as needed.

CHAPTER FOUR

ARTICLE 1: FINANCIAL PROVISIONS

- (a) All monies are to be used for fulfillment of the objectives of the chapter.
- (b) Sources of finance for the chapter shall include the following:
 - (i) Fund raising from internal and external sources
 - (ii) Donations and Grants
 - (iii) Partnerships and agreements with funding organizations.
 - (iv) In-kind contributions of parliaments.
 - (v) Self generation through Membership Fee or annual subscription to be determined by members.

ARTICLE 2: BANK ACCOUNT

- (a) The chapter coordinating committee shall by general resolution keep a bank account in a financial institution of its own choice and all financial transactions shall appear in the name of the chapter.
- (b) All cheques of the chapter coordinating committee shall be signed by the Chairperson and the secretary or other authorised member.

ARTICLE 3: ACCOUNTS AND AUDIT

- (a) The financial year of the chapter shall commence from 1 January to 31 December.
- (b) The Coordinating Committee shall keep proper books of accounts to be audited. Income and expenditure statements shall be available for discussion in every general meeting apart from extra-ordinary meetings.
- (c) Budget and Workplan shall be presented to Annual General Meeting by the Coordinating Committee for approval.
- (d) The Secretariat shall produce an Annual Report showing amount and sources of funding received as well as monies spent in the fiscal year.

CHAPTER FIVE

ARTICLE 1: AMENDMENT AND REPEAL OF ARTICLES

- (a) This constitution may be modified, enlarged, abridged or added to from time to time by special resolution passed by two thirds majority vote of members present at a meeting provided notice of the meeting is duly served on members as required under this constitution.
- (b) Any member proposing changes in the constitution shall reduce the same into writing notifying the Secretary of the Forum not less than twenty-one (21) days before the date of the meeting at which it is first to be considered.
- (c) The approval changes shall be embodied in the amended constitution.

ARTICLE 2: SEAL

The coordinating Committee shall provide for the safe custody of the seal.

The seal shall only be used by the authority of the Chairperson and the Secretary and every document to which the seal shall be affixed shall be signed by the Chairperson and countersigned by the Secretary.

ARTICLE 3: INDEMNITY

Every officer, agent, Secretary and employee for the time being of the chapter shall be indemnified out of the assets of the chapter against any liability incurred by him/her in defending any proceedings, whether civil or criminal in which the chapter is involved.

ARTICLE 4: INTERPRETATION

In this constitution unless specifically provided the following words shall bear the meanings attached hereunder.

Chapter African Parliamentarians Network Against Corruption Gambia Chapter established under this constitution.

Chapter Secretary: Any person appointed to perform the duties of Administrator of this chapter.

National Assembly Parliament as per the law established in each member country.

Seal: The common seal of this chapter