

**THE CONSTITUTION OF MAFIA ISLAND
HIGHER LEARNING GRADUATES &
STUDENTS ORGANIZATION**

(MIHLGSO)



MIHLGSO

2012

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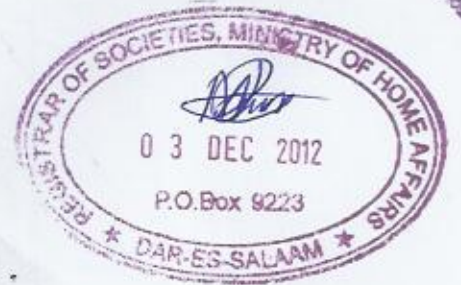
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PART I

PRELIMINARY PROVISIONS.



- Short title. 1. (1) This Constitution may be cited as the Constitution of Mafia Island higher learning graduates and Students organization.
(2) The name of the non-governmental organization herein shall be **MAFIA ISLAND HIGHER LEARNING GRADUATES & STUDENTS ORGANIZATION (MIHLGSO)**
- Commencement 2. (1) This Organization formed on 8th march 2009.
(2) This Constitution shall come into operation on such date as the Organization being registered under Ministry concerned.
- Interpretation. 3. In this Constitution unless the context requires otherwise;
"MIHLGSO" means Mafia Island Higher Learning graduates & Students Organization.
- Preamble. 4. Whereas helping and assisting poor, vulnerable, and an uneducated people, AIDS victim, orphan and widow is inevitable. And
Whereas, Mafia as part of United Republic of Tanzania call for development due to the natural resources surrounding the Island. And
Government depend on those resource for economic development
Now therefore we, graduates & students of higher learning and native's people of Mafia as part of the society have firmly and solemnly resolved to build in our society this organization Which founded on the principles of freedom, justice? Fraternity and concord for the sake of helping the Government of United Republic of Tanzania in developing Mafia Island Economically, socially and educationally.
This Organization shall be non-profit making organization.



PART 11

CONSTITUTION, HEAD OFFICE, BRANCHES, DEPARTMENTS, AREA OF OPERATION AND REGISTRATION.

- Constitution 5. There shall be the constitution of Mafia Island Higher Learning Student Organization or other name the members may change subject to the approval of NGO Registrar.
- Head office 6.(1) the head office of MIHLGSO shall be in Mafia Island and the address of an organization shall be;
P.O. Box
Mafia
Tanzania.
- Branches 7. (1) There shall be branches of MIHLGSO in every district And higher learning Institution with Mafia students where shall have their own leadership among members based on the constitution.
(2) Amalgamation of branches shall form Regional MIHLGSO and then National MIHLGSO.
- Departments 8. (1) There shall be MIHLGSO departments which will Undertake various tasks assigned by executive committee in the principles and regulations of MIHLGSO.
(2) The following are MIHLGSO departments
i. Information department.
ii. Financial department
iii. Social interaction department.
(3) Each department shall have its chairman, secretary and two selected members by executive committee within the organization members. Save to aforementioned leaders of the departments, treasure and assistance treasure shall form financial department.
- Area of Operation 9. The organization shall operate in Mafia and all other part of United Republic of Tanzania when it is required.
- Registration 10. The non-government organization shall be registered on
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PART III

VISION, MISSION AND OBJECTIVES



Vision 11. The MIHLGSO's To make indigenous mafians cooperate systematically in resolving their problems and building their island in collaboration with non indigenous.

Mission 12. Mafia Island Higher Learning Graduates & Student Organization shall;

To develop innocent, educated, disciplined, de votive, hard working and cooperatives indigenous mafians

- Objectives 13. The core objectives of MIHLGSO Organization shall be;
- i. To enhance the educational level to the people of Mafia Island by providing material, moral and financial support.
 - ii. To stimulate the economy of the Mafia island through various sectors like agriculture, fishing and commercial sectors.
 - iii. To participate in social activities and events occurred within the Mafia Island.
 - iv. To enable orphans and vulnerable children to achieve their education goals.
 - v. To raise awareness among the youth on ways of protecting against STIS/STDS/HIV/AIDS and Malaria.
 - vi. To grow up brotherhood among Mafia people in solving the challenges facing them. Not only among themselves but also with other institutions having same objectives with MIHLGSO.
 - vii. To defend, protect and supervise the rights of Mafia people.
 - viii. To posses and run various projects for the social development.
 - ix. To take on and posses movable and immovable properties.

PART IV

MEMBERSHIP AND TYPES OF MEMBERSHIP.

Membership 14. (1) There shall be membership which categorized into three types according to participation of the members.

(2) Types of membership;

a. Ordinary Members.

Any Mafia higher learning student who is mentally fit and aged 18 years old and above, who accepts the objects of organization and has been approved by the General Meeting.

b. Graduates members.

These are graduates of higher learning from Mafia Island. Also include those who graduated even before the formulation of this organization the matter is to be a graduate of higher learning institution.

c. Honorable Members,

Regardless age and sex, any person shall be honored membership of MIHLGSO whenever he/she has been appointed by National, Regional or University executive committee of MIHLGSO and being approved by National Executive Committee of MIHLGSO.

Right of members

15. (1) Members shall have and enjoy the following rights;

- a. To attend the General Meeting and other meeting involves all members.
- b. To request and be supplied with reports of the organization.
- c. To receive copies of circulars of information of any kind of issued or distributed or otherwise.
- d. To give or contribute views intended for building up the organization or realizing any of its objects.



Duties and
Liabilities of
members

- e. To be appointed and contest in elections for a leadership positions
- f. To vote and to be voted.
- g. Right to participate in decision and expressing his positive ideas to an Organization whenever its necessary.

16. Members shall have the following duties and liabilities;

- a. To keep the secrets of an organization.
- b. To defend, to give moral support and protect the society in all time of membership.
- c. Without prejudice article 13 a-g, members shall have duty to respect and concur with the results of elections conducted by the member's committee.
- d. Transparency and fidelity shall be phenomena to be adapted to all members.
- e. To participate in all Organization daily activities under proper procedure and principals.
- f. To attend all meeting he/she supposed to attend.

Termination

17. (1) Member shall cease to be a member of an organization upon the occurrence of one of the following ;

- a. If he or she disagree with the objects of the organization.
- b. If he or she does an act which embarrassing an organization.
- c. If he or she fail to attend three consecutives meeting.
- d. If a member disobeys or fail to implement duties assigned to him or her.
- e. Death of that particular member.

(2) Without prejudice Article 15(1) b, d and e member shall have to produce a notice of failure to the board member as soon as possible.

(3) Save to Article 15(1) (e) members mentioned under

article 12(2) (a) shall not be terminated by the grounds mentioned under article 15.





PART V
ORGANIZATION STRUCTURE AND OFFICE BEARERS.

Guardian.

- 18.(1) There shall be a guardian of MIHLGSO.
- (2) The guardian of MIHLGSO will be in the position for one year.
- (3) The guardian should be the resident of Mafia.
- (4) Three months before MIHLGSO general assembly, all Members of MIHLGSO given opportunity to Propose the names of guardian.
- (5) One month before MIHLGSO general assembly the executive committee will seat to review and pass three names among of the many proposed names
- (6) During general assembly MIHLGSO members will vote for one candidate to be elected as a guardian of MIHLGSO.

Board of Directors.

19. (1) There shall be a Board of Directors to be appointed by national MIHLGSO Executive Committee without restriction to sex. The Board of Directors under this constitution shall be known as **"The Board"**.
- (2) The Board shall consist of eight (8) members, six of them shall be appointed by the general meeting and two shall be General Secretary of an Organization and his Vice.
- (3) The chairperson of the board of the directors shall be elected among the board members, while the Organization's Secretary shall be the Secretary of the Board.
The Board shall be in the office for a year.
- (4) Board shall have the following duties and functions;
 - i. To supervise the whole organization
 - ii. To receives progressive report from the management team and give appropriate feed-back.
 - iii. To insure all donations are appropriately used.

- iv. To solicit funds for organization from various donors.
- v. To take charge of all matters concerning international and national laws and all organization's agreements.
- vi. To provide and take loan from various sources for the organization.
- vii. To approve policies, goals and budgets for the coming year.
- viii. To be main overseers of the income and expenditure of the organization's fund.
- ix. To delegate power to the Head of Management team (project head of department)

(5) For the case of non-existence of the Board member due to any cause, the President (Chairperson) of MIHLGSO together with executive committee shall appoint any proper member to replace non-existence member.



- Chair persons. 20. (1) There shall be a National, regional and branch Chair Person of MIHLGSO who shall have the following functions and power;
- i. To preside over all monthly, annual, ordinary general meeting and all meeting of executive committee.
 - ii. To supervise and coordinate all activities of the MIHLGSO and the subordinates whenever it shall appear necessary.
 - iii. To present the organization's Annual report to the Annual General Meeting.
 - iv. To be signatory to the organization's Bank Accounts in area concerned i.e at the branch, Regional and National.
 - v. The National MIHLGSO chairperson shall have power to suspend a member pending the final in the extraordinary General Meeting.
 - vi. The chairperson shall have power to assign any member to present the organization on his or her behalf.

- vii. To be chief spokesperson of the organization and to represent the organization in all major functions for the benefit of the organization.

- Vice Chair persons
- (2) There shall be National, Regional and branch vice chair person who will assist Chairperson in his functions .
 - (3) He or she shall act upon the non-existence of chair person. In case of the death of Chairperson, the vice chairperson shall be acting Chairperson till the coming election.

General Secretary 21. (1) There shall be a General Secretary of MIHLGSO who shall have the following duties;

- i. To convene the annual, special and ordinary meeting and meetings of the executive committee presided over by the Chairperson or Vice Chairperson in accordance with the provisions of this constitution.
 - ii. To keep and provide proper records of all meetings to the Executive Committee twice a year.
 - iii. To assist the chairperson in supervising and coordinating the activities of the organization.
 - iv. To keep safely all documents, seals and records of the organization.
 - v. To take care of the day to day activities of an Organization and creating special committees with proper procedures of their responsibilities.
 - vi. To provide the meeting reports of all committee including the annual general meeting.
 - vii. To receive Regional MIHLGSO reports and prepare implementing reports to the National MIHLGSO.
 - viii. Regional Secretary shall receive branches reports and provide them to the National MIHLGSO.
- (2) There shall be National, Regional and branch vice Secretary who will assist General secretary in his functions .
 - (3) He or she shall act upon the non-existence of General secretary. In case of the death of Chairperson, the



vice General secretary shall be acting secretary of MIHLGSO till the coming election.

Treasurer

22. There shall be a Treasure of the MIHLGSO who shall have the following duties and function;
- i. To keep all monies, books of accounts payment vouchers and to ensure that all monies with exception of petty cash are promptly banked.
 - ii. To prepare budget estimates and to present the same to the Annual General Meeting of which he or she will be the secretary before presenting the budget estimates to Executive Committee.
 - iii. To issues an income and expenditure report after every end of year.
 - iv. To perform all such other duties as may be assigned to his or her by the Executive Committee and to implement meeting resolutions and to ensure that all financial rules and regulations are adhered to.
 - v. To be chief advisor on the monetary matter.
 - vi. To keep and maintain all records for income and expenditure.
 - vii. To be signatory of the bank account.



PART VI

ELECTION AND TERMS OF LEADERSHIP.

Elections

23. (1) There shall be general election in every one year. The Office bearers shall resume their position upon Showing an interest of being the leader by filling in a form designed by Electro-Committee. The Electro-Committee will review the aspirant's forms and announce the names of the listed aspirants two weeks before the election to the members.
- (2) There shall be an Electro-Committee which will be formed in every election period by executive committee of the level (step) concerned. It shall consist not less than three (3) members amongst the Guardian of the level (step) concerned.

- (3) Without prejudice article 20(2) the Electro-committee Of National MIHLGSO shall be MIHLGSO secretariat.
- (4) The electro- committee of each level shall supervise The whole election activities. The chairman of Electro-committee shall have mandate to announce the election results.
- (5) All matter shall be determined by a majority of votes of the members of the level concerned who shall be present and voting on the question.
- (6) Leaders will persist on their position for the period of one year before resuming or replaced by in the coming tenure. A leader may be re-elected after having served the organization for one year.
- (7) Notwithstanding article 20(3) where a leader may be re-elected after serving an organization for one year, he or she shall not re-elected any more after the second term of service (2years)
- (8) A leader after having served for two terms consecutively shall not contest for leadership until after staying out of office for three years.



PART VII

ANNUAL GENERAL MEETING.

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| Annual General Meeting | 24. (1) There shall be a National, Regional and Branch Annual General Meeting of Organization in a year. |
| National Annual General Meeting | 25. (1) National Annual General meeting shall be held in all long vacation at any proposed venue of United Republic of Tanzania. |
| Composition of National Annual general Meeting | <p>(2) The National Annual General Meeting shall comprise with all National, Regional and branches MIHLGSO leaders and all legal members of an Organization.</p> <p>(3) At any meeting of council not less than one half of the number of members for the time being in office shall constitute a quorum.</p> |

Functions of
Annual General
Meeting

- (4) The Annual General Meeting shall have the following function;
- i. To elect leaders of the organization i.e. National MIHLGSO's Chairperson, Secretary, Treasurer and Executive Committee members.
 - ii. To receive, discuss annual final report and providing total evaluation of MIHLGSO activities in year.
 - iii. To approve board members, members of secretariat and new members assigned.
 - iv. To appoint special committees
 - v. To prepare the strategic plans for the coming year.
 - vi. To receive, discuss and approve the minutes of last general meeting.
 - vii. To receive discuss any idea, comments or views concerning amendment of constitution.

Special Annual 26. There shall be special Annual Meeting of all members who will be available at Mafia during vacation. This meeting shall be conducted at Mafia now and then after the General meeting.

Regional Annual 27. There shall be Regional Annual General meeting taking General Meeting place at any region with more than one University before the National Annual General Meeting.

Composition of 28. (2) The Regional General Meeting shall comprise with Regional Annual all Regional and branches MIHLGSO general Meeting leaders of those regional Universities and all legal members of an Organization of that region.

(3) At any meeting of council not less than one half of the number of members for the time being in office shall constitute a quorum.

Functions of 29. (4) The Regional Annual General Meeting shall have Regional General Meeting the following functions;

- i. To elect leaders of the organization i.e. Regional MIHLGSO's Chairperson, Secretary, Treasurer and Executive Committee members.



- ii. To receive, discuss annual final report and providing total evaluation of MIHLGSO activities in year.
- iii. To approve board members, members and new regional members assigned.
- iv. To appoint special regional committees
- v. To prepare the strategic plans for the coming year.
- vi. To receive, discuss and approve the minutes of last general meeting.
- vii. To receive and discuss and then approving development report in the region.

Delegation. 28. Delegation of power shall be done in writing whenever One is not in the office.

PART VIII

FINANCIAL MANAGEMENT, SOURCE OF FUND AND USES OF FUND.

Financial Year of 29. The organization shall have its Financial year September

each year. Where by all books of account and all accounts of the Organization shall be closed on august of each year.

Source of Fund. 30. An organization shall have its source of fund from the the following;

- i. Subscription fees
- ii. Donations
- iii. Grants
- iv. Investments
- v. Fund rising
- vi. Loans.
- vii. Voluntary contributions and donations from members and other persons in and outside Tanzania.
- viii. Income from project devised from the Executive Committee.



- Uses of Fund. 31. The uses of organization fund shall be approved by the Board of Directors and shall be directed to the following;
- i. Purchase of office equipment for the organization.
 - ii. Conducting of seminars and workshops for various groups especially those for whom the organization is established.
 - iii. To assist the bereaved and orphans related to AIDS victims and vulnerable people by providing them with the necessities of life.
 - iv. Recurrent office expenditure, transport and publications.
 - v. Running various projects approved by executive committee.
- Bank Account. 32. Where an Organization decided, there shall be an account(s) with the Bank (s).
- Signatories of Bank Account. 33. The chairperson, General Secretary and treasurer shall be The signatories of the Organization's Bank Account.
- Annual Report 34. There shall be annual report, where by the Statements of the audited accounts shall be read to the Annual General meeting after being approved by the Board of Directors.
- Audit and Control 35. The account of the organization shall be audited by the audit companies or qualified auditors who shall be appointed by the Board of Directors. All accounts will be audited at the end of each project.



PART IX

CONSTITUTION AMMENDMENT, DISSOLUTION AND COMMON SEAL.

- Constitution amendment. 36.(1) Where there is a need, there shall be constitutional Amendments which will result from a resolution passed at the General Meeting by the members.
- (2) Without prejudice the contents of Article 21(3) of this Constitution, the General Meeting which set for the Constitutional amendments shall consist of 1/2 of the members of an organization.
- (3) Amendments proposals shall be presented before the Board for discussion. Approved amendments from Board shall passed to members by executive committee for evaluation for the period of two months (2) before presented in the National General Meeting.
- (4) After being approved in the General meeting amendments shall be done by Board supported by any appointed lawyer.
- Dissolution of an Organization 37. (1) The organization will be dissolved during the annual general meeting, 2/3 of the members shall be present, Debts if any shall be paid and the remain assets be handed to other organic having similar objectives.
- (2) An organization shall dissolve;
- i. If 2/3 of the members in the general meeting passed a resolution to that effect.
- ii. If the registrar removes the organization from the register in accordance with the laws for the time being relating to and regulating the registration and the dissolution of the organization.
- Common Seal 38. There shall be a common seal of the Organization. The proposed devise of the common seal of the organization shall be round and bear the word "THE REGISTERED ORGANISATION OF MAFIA ISLAND HIGHER LEARNING GRADUATES AND STUDENTS P.O.BOX 47 MAFIA" and shall only be affected by all documents in presence of at least two leaders.
- Emblem. 39. There shall be an emblem of an organization which



shall comprise with Island, Fish, Ocean water, coconut tree, Book and cape.

- Island: Stand for Mafia island map.
- Fish: Major economic activity Mafia people.
- Ocean water: Represent Indian ocean around Mafia island.
- Book: Represent students of Mafia in various institution.
- Graduates Cape: Stand for graduates.

PART X

MISCELLANEOUS DISPOSITION – Conflict Resolution Cause.

- i. There shall be a disciplinary committee.
- ii. The Chairperson may, upon proper consultation, convene a meeting at any time.
- iii. One third of the members of the organization may, if they so desire, convene an emergency meeting upon issuing a 21 days written notice prior to the date of meeting. The notice shall state the purpose for calling such a meeting.
- iv. The Disciplinary committee shall be the first instrument in resolving all conflicts within the organization but whereas the conflict requires a higher authority, the Board of Directors shall be approached for the conflict and may direct other wise.

