

CONSTITUTION OF CHINA TRAINED GHANAIAI PROFESSIONALS

IN THE NAME OF THE ALMIGHTY GOD,

We, the former students' of the Peoples Republic of China from Ghana;

COMMITTED to our belief in Democracy, the Rule of Law and the promotion and safeguarding of former students' who studied in China rights and privileges;

CONSCIOUS of the need for a former student in China with a patriotic and anti imperialist consciousness to fulfill the aspirations of our country by participating meaningfully, purposefully and actively in national and international affairs that affect the masses, especially former students of China, the working class and the Ghanaian society as a whole;

WISHING to create the vital instrument through which we shall equip ourselves theoretically for practical revolutionary service to our motherland Ghana, Africa and humanity as a whole;

CONVINCED of the paramount need for the formation and creation of an effective democratic, proactive and progressive former students' in China organization to affect these noble and patriotic ideals;

DO HEREBY ADOPT, ENACT, PROMULGATE AND GIVE TO OURSELVES THIS CONSTITUTION, TO ESTABLISH CHINA TRAINED GHANAIAI PROFESSIONALS ORGANIZATION WHICH SHALL REPRESENT THE STUDENTS' WHO ARE GHNAIANAS, STUDIED IN CHINA FOR AT LEAST ONE ACADEMIC YEAR AND ARE BACK IN GHANA

THE GROUP

1. NAME:

The official organization for the entire former students of China who are Ghanaians shall be known and called the, China Trained Ghanaian Professionals

2. SUPREMACY OF THE CONSTITUTION

a) The sovereignty of China Trained Ghanaian Professionals resides in the members of The Group in whose name and for whose welfare the powers, duties and responsibilities that are conferred under this constitution shall be exercised.

b) Subject to the laws of Ghana this constitution shall be the supreme law of China Trained Ghanaian Professionals.

c) Any omission or commission, bye-law or regulation of a person or institution which is found to be inconsistent with any provision of this constitution shall to the extent of the inconsistency, be null and void.

3. ENFORCEMENT OF THE CONSTITUTION

a. All members shall adhere to all the provisions of this Constitution

- b. In view of achieving clause (a) of this article, all officers shall subscribe to an oath of allegiance to CHINA TRAINED GHANAIAI PROFESSIONALS when being inducted into office
- c. Any member(s) who alleges that:
 - i. an act or omission of any person
 - ii. a bye law or decision of a body is inconsistent with, or is in contravention of a provision of this constitution, may bring an action to the Judicial/Disciplinary Committee for a declaration to that effect.
- d. For the purpose of a declaration under clause (c) of this article, The Disciplinary Committee shall make such orders and give such directions as it may consider appropriate for giving effect to the declaration so made.
- e. Any member or member body, to whom an order or a direction is addressed under clause (d) of this article by the Judicial/Disciplinary Committee, shall duly obey and carry out the terms of the order or direction.
- f. Failure to obey or carry out the terms of an order or direction made or given under clause (b) of this article constitutes a violation of this constitution and shall in the case of:
 - i. For a member, not be eligible for election or for appointment to any office of the Group for two years.
 - ii. An executive officer, constitute a valid ground for the removal from office.

4. CHARACTER AND ORIENTATION

- a. CHINA TRAINED GHANAIAI PROFESSIONALS is a democratic, non-partisan, independent and progressive student's who study in China.
- b. CHINA TRAINED GHANAIAI PROFESSIONALS' non political outlook shall embrace all progressive and democratic ideals and principles, including those against human right violations, poverty, hunger, corruption, racism, tribalism, illiteracy and ignorance, for national development, democratic principles and socio-economic progress.
- c. The actions of CHINA TRAINED GHANAIAI PROFESSIONALS shall be determined by the supreme interest of the members and people of Ghana as a whole.
- d. CHINA TRAINED GHANAIAI PROFESSIONALS shall respect the freedom of conscience of its membership
- e. The activities of CHINA TRAINED GHANAIAI PROFESSIONALS shall be conducted in accordance with the laws of the Republic of Ghana.

5. MOTTO:

The Group's motto shall be "*Development through Partnership*"

6. MEMBERSHIP

- a. Membership to CHINA TRAINED GHANAIAI PROFESSIONALS is open to all Ghanaians who studied in China and are back in Ghana. For the avoidance of doubt, membership under CHINA TRAINED GHANAIAI PROFESSIONALS is automatically derived from students who graduate from various institutions in China irrespective of the courses they read which covered a minimum of one academic year.
- b. Associate Membership:

1. Non – Ghanaians who studied in China and now legally based in Ghana.
2. Ghanaians who study in China on short or professional programs

7. MEMBERSHIP REGISTER

- a. There shall be a membership register of CHINA TRAINED GHANAIAN PROFESSIONALS
- b. This membership register of CHINA TRAINED GHANAIAN PROFESSIONALS shall be reviewed at every Annual Meeting

8. PROTECTION OF MEMBERS

- a. CHINA TRAINED GHANAIAN PROFESSIONALS shall offer solidarity, protection and assistance to members in the preservation and enjoyment of their fundamental human rights and in the fulfillment of the aims and objectives of CHINA TRAINED GHANAIAN PROFESSIONALS contained in this Constitution.

9. AIMS AND OBJECTIVES:

The aims and objectives of CHINA TRAINED GHANAIAN PROFESSIONALS shall include the following:

- a. To protect and safeguard the rights and interests of members
- b. To offer a common platform –
 - i. for the discussion of issues and problems affecting
 - ii. for the co-ordination of the group’s activities
 - iii. for the gathering of the opinion of member on matters of national and international concern
 - iv. to inculcate in members a spirit of solidarity and fraternity
 - v. to provide orientation for students going to study in China
 - vi. to assist graduates from China for smooth resettlement in Ghana
 - vii. To seek the general welfare of the members
 - viii. To foster network and promote business and expertise of members

10. EXECUTIVE COMMITTEE

There shall be an Executive Committee comprising of the Chairperson, Vice Chairperson, Secretary, Financial Secretary, and Organizing secretary.

11. TENURE OF OFFICE AND ELECTIONS

Members meeting of the group shall elect Executives at an Annual General Meeting of the Group to hold office for two (2) years, renewable for not more than two (2) terms. Where a vacancy occurs on the Executive Committee by death or resignation or otherwise the Executive shall conduct a bye-election to fill the vacancy.

The Executive Committee may from time to time appoint any member it may deem necessary and may delegate to such member powers and duties as it may deem fit. Such person (s) shall conduct their business in accordance with the directives of the Executive Committee to which they report periodically.

The Executive Committee shall have power to make regulations for the smooth running of the group.

12. DUTIES OF THE EXECUTIVE COMMITTEE MEMBERS

A. CHAIRPERSON

- Shall preside over all meetings of the group, general and Executive.
- Advise the Vice to convene meetings of the group.
- Be a Signatory to the group's bank accounts.
- Have a casting vote at a meeting when the need arises.
- Present a report of activities of the group at the end of each year to the A.G.M.

B. VICE CHAIRPERSON

- Shall convene meetings as directed by the chairperson, keep proper records of such meetings and attend to all correspondence in consultation with the chairperson.
- Shall assist the Chairperson in the performance of his/her duties and deputize his absence.
- The vice chairman shall call for a meeting when the president is incapacitated

C. SECRETARY

- Shall write notices for meetings of the group.
- Shall take minutes of all meetings.
- Shall maintain attendance register and keep proper records of all members of the group.
- Shall be responsible for all internal and external correspondence of the group.

D. FINANCIAL SECRETARY

- Shall be responsible for all financial matters of the group.
- Shall keep proper books of accounts of the group (receipts of all contributions, due, welfare dues etc)
- Shall present a report of all financial position of the group to members at every quarterly meeting.
- Shall present a written statement of accounts at the end of every year to the group.
- Shall ensure to lodge all cash received into the bank account of the group.
- Shall be a signatory to the bank account of the group.
- Shall encourage members to meet their financial obligations

E. ORGANIZING SECRETARY

- Shall be in charge of organizing meetings and any planned activity or making arrangement towards any occasion.
- Shall take charge of all properties of the group in trust.

13. MEETING

i. EXECUTIVE MEETING

The Executive Committee shall meet at least once every three (3) month or as often as the committee deems necessary.

ii. GENERAL MEETING:

- The General Meeting of members shall be the highest decision making body on all matters affecting the members of the group.

- There shall be a general meeting at least thrice in a year.
 - Meetings shall be convened by the Vice, on the directives of the Chairperson, who shall preside over such meetings.
 - The quorum for all general meetings shall be at least 1/3 of total membership.
 - In the absence of the chairperson, the vice shall convene meetings of the committee and shall preside over the meetings but in his absence at such meetings any other executive member present shall preside.
 - All matters proposed for the approval of the group at a general meeting shall be decided upon by a simple majority present through voting. In the event of a tie, the chairperson shall have a casting vote.
- iii. **Emergency meetings** shall be convene when necessary All matters proposed for the approval of the group at a general meeting shall be decided upon by a simple majority present through voting. In the event of a tie, the chairperson shall have a casting vote.

14. ELECTIONS AND REMOVAL OF OFFICERS

15.1 QUALIFICATION FOR ELECTION

Any active member who has paid his/her dues up to date and has joined the group not less than one year can contest any of the positions.

15.2 GROUNDS FOR DISQUALIFICATION

- i. A person shall not be qualified to stand for a National Executive position if he—
- ii. Has been convicted under any crime in Ghana
- iii. Has been declared or involved in any financial misappropriation
- iv. Is of an unsound mind
- v. Has a low moral standard.
- vi. Has been found by any committee of enquiry to be incompetent to hold any office and the findings have not been set aside on appeal or judicial reviews

15.3 NOMINATION

Aspiring Candidates shall be nominated by three paid up members

15.4 REGULATIONS GOVERNING ELECTIONS:

- a) Nomination of Electoral Commission shall be at a general meeting and shall serve for the election period.
 - i. members of the electoral commission shall not have interest in any executive position
 - ii. shall be active members of the group
- b) The Electoral Commissioner shall
 - i. Compile an electoral register
 - ii. Make rules for the conduct of elections
 and publish it to members at least one week before voting starts.

15.5 VOTING

- a. Voting shall be by Secret ballot.

- b. A person shall be considered as duly elected by simple majority.
- c. An unopposed candidate shall be duly elected by simple majority

15.6 DECLARATION OF ELECTION RESULTS:-

- a. The Electoral Commissioner shall declare provisional electoral results within **20 minutes** after counting of votes.
- b. Notwithstanding the clause (a) supra, the electoral commissioner shall inform members of the reasons for the delay.

15.7 CHALLENGING OF ELECTION RESULTS

- a. A person may challenge the results of an election at least within **30 minutes** after the declaration of the provisional electoral results in respect of which the petition is presented.
- b. The EC shall proceed to declare the unchallenged results after the supra time.
- c. The challenge must be in a form of a petition addressed to the Electoral Committee Chairman.

15.8 RIGHT TO VOTE

- a. Subject to the clause below, an accredited member shall have a right to vote.
- b. An accredited member is one who has paid his or her due to date.

15.9 RESIGNATION OF AN OFFICER

- a. An executive officer, except the Chairperson, may resign from office by writing under his hand addressed to the Chairperson at least **2 weeks** before the commencement of his resignation.
- b. The Chairperson shall notify the Executive committee and members
- c. Members shall within **4 weeks** upon the receiving such notice elect a substantive officer to act in the vacant position.

15.10 RESIGNATION OF A CHAIRPERSON

- a. The Chairperson may resign from office by notifying executive committee through the secretary at least **3 weeks** before Resignation take place.
- b. The Secretary shall convey an emergency meeting within **4 weeks** upon receiving such notice.

15.11 EN BLOC RESIGNATION

Members shall organize within **4 weeks** of notice to fill vacancies for en bloc resignation of Executive officers.

15.12 VACANCY OF OFFICE

- a. An office shall be considered vacant if any officer;
 - i. Suffers an impeachment
 - ii. Vacates his/her post for 21 working days without official notice to Executive Committee;
 - iii. Resigns from office, dies or is incapacitated by ill-health from performing his/her functions

15.13 GROUNDS FOR REMOVAL FROM OFFICE

An executive officer shall be removed from office if he/she is found

- a. to have acted in violation to his Oath of office,
- b. to have conducted himself/herself in a manner which brings or is likely to bring the Group into disrepute, ridicule or contempt, or
- c. to have conducted himself or herself which is prejudicial or inimical to the interest of the members of the Group;
- d. to have acted contrary to the spirit and letter of this constitution
- e. to be incapable of performing the functions of his or her office by reason of infirmity of body or mind
- f. to be inefficient or negligent in the discharge of his duties

15.14 PROCEDURE FOR REMOVAL FROM OFFICE

- a. For the purpose of the removal from office of an executive officer, a notice in writing shall be given to the chairperson but if it is the chairperson, it shall be given to the secretary who shall notify other executives and all members.
- b. The notice referred to in the clause above shall be accompanied by a statement setting out in detail the facts, supported by the necessary documents on which the removal is sought.
- c. The Executive Committee shall within **2 weeks** add its independent opinion to the facts as to its merits or otherwise.
- d. The Chairperson shall convey meeting within **three weeks** after the submission of the Executive Committee's independent report.

15.15 RETURN OF THE GROUP'S ASSET

- a. Any officer of the Group who resigns, vacates, removed or completes his term of office shall properly hand-over all Group's assets in his possession within 48 hours.
- b. Executive officers shall use all legal means to retrieve the Groups asset upon the non-fulfillment of clause (a) supra.

16. FINANCE

Membership - Each eligible member shall pay a registration which fee which shall be determined at Annual General Meeting and shall be issued receipts with membership record form, membership card and the constitution of the group.

DUES: - Each registered member shall pay monthly dues which shall be determined at Annual General Meeting

WELFARE: - eligible member shall pay a fee which shall be determined at Annual General Meeting as welfare contribution.

FUND RAISING/DINNER: - A month shall be chosen in every year to raise funds for our target Project to be undertaken.

VOLUNTARY DONATIONS: - Voluntary Donations from individual members and well wishers shall be welcome and such gestures will duly be acknowledged.

INVESTMENTS: - The funds of the group shall be judiciously deployed in projects or investment agreed upon at General Meetings.

NOTE:

All dues paid into the groups coffers are not refundable. All amounts paid in shall be subject to periodic review by the General Assembly.

17. BANK ACCOUNT

An account shall be opened in the name of the Group.

Signatories to this account shall be the Executive Committee – Chairperson and the Financial Secretary (Category A) and two non executive members nominated by the group (Category B).

Any two (2) signatories one of each from the aforementioned categories shall be enough to transact business on behalf of the group.

AUDIT:- Once in a year, an audit committee of three (3) members, not being executive members shall be appointed by the members at a General Meeting to audit the accounts of the group and shall submit a report at the next general meeting.

18. BENEFITS

All members of the Association shall benefit from the welfare fund provided he/she has not defaulted in payment of dues as enshrined in the constitution. Before a member enjoys a benefit from the group, he/she must be an active member for the period of six (6) months or better.

i. **Bereavement:**

- a) **Member:-** Upon the death of a paid-up member, the group shall present a cash donation which shall be determine at Annual General Meeting. And all members shall attend the funeral.
- b) **Wife, Husband or Child:-** on the death of a members husband, wife or child, cash donation which shall be determine at Annual General Meeting shall be presented and some members would be delegated by the executive committee to attend.
- c) **Father, Mother:-** on the Death of a member's father/mother or their representatives, an amount which shall be determine at Annual General Meeting shall be donated to the member and a reasonable number of members shall attend the funeral.

ii. **Hospitalization:**

- a) Where a member of the group suffers illness or any accidents and hospitalized for a period of 10 or more days, provisions shall be presented with fruits and a cash donation which shall be determine at Annual General Meeting and

iii. **Marriage:** - A donation which shall be determined at Annual General Meeting shall be given on behalf of all members. In the case where both couples are members of the group, a reasonable amount would be determined which shall be determine at a General Meeting

iv. **Child Dedications/Naming Ceremony:-** Upon a child delivery by a member of the group, he/she shall receive a cash donation which shall be determine at a General Meeting on behalf of the child in order to do a **Child Investment** for the child if there isn't any. In the case where both parents are members of the group, a reasonable amount would be determined by which shall be determine at a General Meeting. **A member can only benefit twice under this package.**

19. DISCIPLINE

All members shall help to maintain peace and order during gatherings (meetings, celebrations etc) of the group.

20. DEFAULTERS

Any member who may have problem in payment of his/her dues for a period of six (6) months with a tangible reason should notify the executive committee, otherwise ceases to be a member of the group.

21. AMENDMENT

This Constitution shall be amended at a General Meeting of at least 2/3 of the entire membership present. A simple majority of votes shall amend the constitution after due notice (two months) of proposal for amendment has been given to members through the Executive committee before a General Meeting.

22. INTERPRETATION OF CONSTITUTION

If any matter not specifically provided for in this Constitution, the decision of the Executive Committee shall be binding until such a decision is either ratified or revised at a subsequent General Meeting. In the event of any conflict in the interpretation of the provision of this Constitution, the decision of the Executive Committee shall prevail.

This constitution is subject to the Ghana National Constitution.

23. AMENDMENT OF THE CONSTITUTION

Subject to the provisions of this Constitution, the General Meeting may, by a by-law amend any provision of this Constitution.

24. MISCELLANEOUS

24.1 INDEMNITY:

Workers and officers of the CHINA TRAINED GHANAIAAN PROFESSIONALS shall be indemnified out of the assets and funds for the CHINA TRAINED GHANAIAAN PROFESSIONALS against any legal or other liabilities as may be incurred in a legitimate and legal execution of their duties as assigned them under this constitution on behalf of the Group.

25. PROMULGATION

Now therefore, in pursuance of our intention, we do hereby give unto ourselves this /constitution this day, **19th June, 2016.**

FORMS OF OATH

EXECUTIVE OFFICERS OATH

I..... (Name).....having been elected to the High Office of ... (Portfolio)..... of the CHINA TRAINED GHANAIAAN PROFESSIONALS (solemnly affirm) that I will be faithful and true, and that I dedicate myself to the service and well-being of the members; that I will at all times preserve, protect and defend the constitution of CHINA TRAINED GHANAIAAN PROFESSIONALS.

I further (solemnly affirm) that should I at any time break this oath of office, I shall submit myself to the constitution of this Group.

(So help me God)