



CONGOLESE COMMUNITY OF BIRMINGHAM  
ADDRESS???  
CONTACT DETAILS(email + phone number)???  
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**The Constitution of Congolese  
Community of  
Birmingham**

This constitution was adopted on the 4<sup>th</sup> day of March 2017.

**1. NAME**

The association is called “Congolese Community of Birmingham” is hereinafter referred to as “**CCB**” ((and in this document it is called the association)

**2. ADMINISTRATION**

Subject to the matters set out below the Congolese Community Of Birmingham and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by clause ‘H’ of this constitution (“the Executive Committee”).

**3. OBJECTS**

The association’s objects are:

- Signpost fellow members in needs to organisations providing advice, support, representation, translation and interpreting services in matters such as asylum and immigration, welfare benefits, housing, health, sports, education, training, employment and some human rights issues.
- Promote the integration of Congolese members into the British society by developing their capacity and skills in such a way that they are better able to identify and help meet their needs to participate more fully in society and be economically active.

- Welcome new members coming to live in Birmingham and support them to feel part of the community and reduce their isolation
- Promote sports and other leisure activities both for adults and children.
- Disseminate among members of the association information on new British legislations, drugs, human rights and other topics.
- Promote the Congolese culture by organizing cultural and social events
- Promote mutual aid and solidarity among our fellow members through befriending, companionship, supporting vulnerable people in different settings (care homes, hospital, prisons) and supporting families going through bereavement.

#### **4. POWERS**

In furtherance of the objects but no otherwise the executive committee may exercise the following powers:

- Power to raise funds, 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 law;
- Power to buy, take on lease or in exchange any property necessary for the achievements of the objects
- Power subject to any consents required by law to sell, lease or dispose of all or any part of the property of CCB
- Power to employ such staff (who shall not be members of the Executive Committee) as are necessary for the proper pursuit of the objects
- Power to co-operate with other communities, charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them
- Power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects
- Power to appoint and constitute such advisory committees as the Executive Committee may think fit
- Power to do all such other lawful things as are necessary for the achievements of the objects.

## **5. MEMBERSHIP**

- Membership of the association shall be open to any Congolese citizen living in Birmingham and surroundings (Sandwell, Dudley, Wallsall and Wolverhampton), who is interested in furthering the work of the association, has completed a registration form, paid a subscription laid down by the Executive Committee and keep paying his monthly contribution.
  - Any Congolese member from anywhere who is interested in furthering the work of the association and would like to bring a special contribution in terms of skills or finance
- Every member shall have one vote.

## **6. AREA OF catchment and beneficiaries**

- The association is set up to cover the Birmingham area and its surroundings (Sandwell, Solihull, Dudley, Walsall and Wolverhampton)
- The association is set up to support all Congolese people living in this region regardless of their age, sex, religion, political and sexual orientation in accordance to the objects of the association
- The association reserves the right of providing financial support to those with effective membership in case of the death of one of their close family members in Birmingham (such as: father, mother, child) or in case of special circumstance such as: deportation.

## **7. SUSPENSION, TERMINATION AND EXCLUSION**

The Executive Committee and/or the general assembly may, by resolution, terminate, suspend, exclude and revoke the membership of any person or group if its opinion such person or group has been guilty of conduct prejudicial to the association or its objects, provided that the person or the individual representing the group shall have the right to be heard by the "Elders Council" which is set out in (8), which submit its recommendations to the General Assembly for a final decision. There shall be the right of appeal to an independent arbitrator appointed by mutual agreement.

## **8. THE ELDERS COUNCIL**

The general assembly of CCB shall choose 3 prominent persons within the Congolese Community to constitute this council.

They will deal with other than the matter set in point (7), with every other matters in which the Executive Committee have not reached a decision on. They will also act as the guardian of this constitution. They will have mandate of 2 years renewable, but not limited.

## 9. VOTE

At the annual general meeting of the Organization, members shall elect from amongst themselves **a chairman, a vice-chairman and Independent controler** who shall take the power from the conclusion of the meeting.

## 10. EXECUTIVE COMMITTEE

- The Executive Committee consist of:
  - 1 Chairman
  - 1 Vice-Chairman
  - 1 Secretary
  - 1 Treasurer
  - 1 Commissaire au compte
  - 2 advisors
- Sub-committees  
The Executive Committee shall appoint volunteers to run the following sub-committees:
  - Welfare, Education, Employment and business matters
  - Social, Information and social media matters
  - Cultural, Sport and leisure matters
- The President and the Treasurer shall be elected during a general assembly by CCB members for a period of 2 years renewable once
- They can stand for another election after a break of 2 years
- The Vice Chairman, secretary and the 2 advisors are appointed by the chairman to complete Executive Committee and can be dismissed by him.
- Nobody shall be appointed as member of Executive Committee who is aged under 18 or who would, if appointed, be disqualified under the provisions of the following clause: Sexual offender, Criminal by deceit or dishonesty.
- All the members of the Executive Committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re-appointed.

- No person shall be appointed to act as a member of the Executive committee whether on a first or on any subsequent entry into office until after signing in the minute book of the Executive Committee a declaration of acceptance
- Sub-committees shall be run by volunteers demonstrating knowledge, skills and commitment in order to meet the needs of the members of the community

## **11. DETERMINATION OF MEMBERSHIP OF EXECUTIVE COMMITTEE**

A member of the Executive Committee shall cease to hold office If he or she is disqualified from acting as a member of the Executive Committee if:

- he or she becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- he or she is absent without the permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated; or notifies to the Executive Committee a wish to resign (but only if at least three members of the Executive Committee will remain in office when the notice of resignation is to take effect).

## **12. EXECUTIVE COMMITTEE MEMBERS' PERSONAL INTEREST**

- No member of CCB shall acquire any interest in property belonging to the association or receive remuneration in any contract entered into by the association
- Any member of the Executive Committee for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all the usual professional charges for business done by him or her or his or her firm when instructed by the other members of the Executive Committee to act in a professional capacity on behalf of the Charity: Provided that at no time shall a majority of the members of the Executive Committee benefit under this provision and that a member of the Executive Committee shall withdraw from any meeting at which his or her own instruction or remuneration, or that of his or her firm, is under discussion.

## **13. MEETINGS AND PROCEEDINGS OF THE EXECUTIVE COMMITTEE**

- The Executive Committee shall hold at least one ordinary meeting each year. A special meeting may be called at any time by the chairman or by any two third members of the Executive Committee upon not less than 14 days' notice being given to the other members of the Executive Committee.
- The chairman shall conduct the meetings of the Executive Committee. If the chairman is absent from any meeting, the members of the Executive Committee

presenter shall choose one of their number to be chairman of the meeting before any other business is transacted.

- There shall be a quorum when at least two third of the number of members of the Executive Committee whichever is the greater, are present at a meeting.
- Every matter shall be determined by a majority of votes of the members of the Executive Committee present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.
- The Executive Committee shall keep minutes, in books kept for the purpose of the proceedings at meetings of the Executive Committee and any sub- committee if this one do exist.
- The Executive Committee may from time to time make and alter rules for the conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.
- The Executive Committee may appoint one or more sub-committees consisting of three or more members of the Executive Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Executive Committee would be more conveniently undertaken or carried out by a sub-committee, provided that all acts and proceedings of any such sub-committee shall be fully and promptly reported to the Executive Committee.

#### **14. Receipts and expenditure**

- The funds of the association, including all donations, contributions and bequests, shall be paid into a bank account operated by the Executive Committee in the name of CCB. All cheques drawn on the account must be signed by at least two members of the Executive Committee.
- The funds belonging to the association shall be applied only in furthering the objectives.

#### **15. PROPERTY**

The Executive Committee shall cause the title to:

- All land held by or in trust by CCB which is not vested in the Official Custodian for the organization
- All investments held by or on behalf of CCB to be vested either in a corporation entitled to act as Charity Organization

## **16. ACCOUNT(S)**

The Executive Committee shall comply with their obligations with regard to:

- The keeping of accounting records for the association
- The preparation of annual statements of the account(s)
- The auditing or independent examination of the statements of the account(s)
- To give a feedback to members during the annual general assembly meeting

## **17. ANNUAL REPORT**

The Executive Committee shall comply with their obligations with regard to the preparation of an annual report and its publication for the sake of transparency and accountability towards members of CCB.

## **18. ANNUAL GENERAL MEETING**

- There shall be one annual general meetings of the organization that shall be held in the month of July/August in each year or as soon as practicable thereafter.
- Every Annual general Meeting shall be called by the Executive Committee. The secretary shall give at least 21 days' notice of the general meeting to all the members of the CCB. All the effective members of the association shall be entitled to attend and vote at the meeting.
- The Executive Committee shall present to each annual general meeting the report and accounts of the association for the preceding year.

## **19. SPECIAL GENERAL MEETING**

The Executive Committee may call a special meeting of the association at any time. If at least ten members request a meeting in writing, the secretary shall call such a meeting. At least 21 days' notice must be given. The notice must state the subject(s) to be discussed.

## **20. PROCEDURE AT THE GENERAL MEETING**

The secretary or other person specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting of the CCB.

There shall be a quorum when at least one third of the number of Members of the association, whichever is the greater, are present at any general meeting.

## **21. NOTICES**

Any notice required to be served on any member of the association shall be in writing and shall be served by the secretary of the Executive Committee on any member either personally or by sending it through the post in a prepaid letter addressed to such member at his or her last address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

## **22. ALTERATION(S) TO THE CONSTITUTION**

- 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.
- No amendment may be made to clause 1 (the name), clause 3 (the objects), clause 12 (Executive Committee members personal interest), clause 23 (the dissolution) without the prior consent in writing of the General Assembly.
- No amendment may be made which would have the effect of making the CCB cease to be a lawful organization.

## **23. DISSOLUTION**

If the Executive Committee decides that it is necessary or advisable to dissolve the association, it shall call a meeting of all members of the CCB, of which not less than 21 days' notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting the Executive Committee shall have power to release any assets held by or on behalf of the association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institutions having objects similar to the objects of the CCB as the general assembly may determine or failing that shall be applied for some other charitable purpose.

## **24. ARRANGEMENTS UNTIL THE FIRST ANNUAL GENERAL MEETING**

Until the first annual general meeting takes place, this constitution shall take effect as if references in it to the Executive Committee were references to the persons whose signatures appear at the bottom of this document.

This constitution was adopted on the date mentioned above by the persons whose signatures appear at the bottom of this document.

**Richard** .....

**Jacques** .....

**Ongono** .....

**Patrick** .....

**Jose** .....

**Stephane** .....

**Dodo** .....

**Abe** .....