



# **Lebialelem Cultural and Development Association - Pretoria (LECDA-PTA)**

## **THE CONSTITUTION**

(Last amended on the...)

### **PREAMBLE**

We the sons and daughters of Lebialelem Division residing in Pretoria in the Republic of South Africa, in common accord, in order to coordinate and foster the development of the Lebialelem Division of Cameroon and in order to make a voice of ourselves to promote unity, solidarity, culture, hard work, trust, love and peace in our fatherland Cameroon and our host country South Africa, do hereby solemnly and voluntarily constitute ourselves into a non-violent, non-partisan, non-political and non-profit-making association, whose objectives, goals, purpose, means and structure are set forth in the present text entitled 'The constitution of Lebialelem Cultural and Development Association Pretoria ( LECDA-PTA)' in the Republic of South Africa, under the following articles:

ARTICLE 1: THE ASSOCIATION

ARTICLE 2: THE ASSOCIATION STRUCTURE

ARTICLE 3: FINANCIAL OBLIGATIONS

ARTICLE 4: GENERAL AUDIT

ARTICLE 5 GENERAL PROVISIONS

## **ARTICLE 1: THE ASSOCIATION**

### **SECTION 1: NAME**

The official name of the association shall be 'Lebialem Cultural and Development Association Pretoria' in the Republic of South Africa, herein after referred to as 'LECDA-PTA' or Association.

### **SECTION 2: MOTTO**

The motto of LECDA-PTA shall be: UNITY – CULTURE – DEVELOPMENT - EDUCATION  
And the slogan shall be LECDA....UNITY, LECDA....PROGRESS

### **SECTION 3: PURPOSE**

- a- LECDA-PTA shall serve to foster unity, love, solidarity, friendship and self-reliance among members.
- b- LECDA-PTA shall strive to create a forum for the exchange of ideas and concerns amongst members
- c- LECDA-PTA shall assist in promoting, in an organized manner, the cultural, economic and social potentials of Lebialem Division
- d- LECDA-PTA shall strive to provide its members with the services, benefits and privileges emanating from the Association
- e- LECDA-PTA shall encourage the formation of other regional chapters within the Republic of South Africa.
- f- LECDA-PTA shall encourage collaboration, cooperation and dialogue with any individual, other Associations and/or Organizations within or outside the Division working for the common interest for the development of Lebialem Division

### **SECTION 4: MEMBERSHIP**

Membership is individual is open to Male and Female who are **not** under the age of 18 years and may include:

- a- Lebialem elements by birth or by marriage.
- b- Any Cameroonian who has shown a consistent interest towards the culture and development of Lebialem Division or the aspirations of LECDA-PTA.

These members can only be accepted into the Association after fulfilling the following conditions:

- Shall submit a written application.
  - The Association shall enquire about the individual.
  - The Association shall then address a letter of acceptance or disapproval to the individual.
- c- Honorary membership may be conferred to individuals who, by virtue of their position and concern, could foster the aspirations of the Association.
- d- LECDA-PTA may transfer members to another LECDA branch closest to their place of residence, especially members not residing in Pretoria.

## **SECTION 5: ACTIVE MEMBER**

An active member is one who has paid his/her registration fee, **100%** of all financial obligations and has an attendance rate of at least **80%** during the current meeting section.

## **SECTION 6: RIGHTS AND PRIVILEGES**

- a- Active Members shall be entitled to attend, participate and vote at the General assembly.
- b- Only active members may nominate or second a nominee, table a motion or demand, claim or receive any service, activity, favour, or benefit provided by, for, on behalf of, in the name of LECDA-PTA.
- c- Only active members may accept a nomination or run for an office.

## **SECTION 7: LOSS OF MEMBERSHIP**

- a- Membership may be lost by de-registration, expulsion or consistent absenteeism.
- b- In the event of loss of membership, the Association shall not be liable for the refund of any contributions or dues already collected from such member.

## **SECTION 8: PROCEDURE FOR THE EXPULSION OF A MEMBER**

- a- A warning letter shall be served to the culprit.
- b- A letter of suspension shall be served to the culprit and the member shall be suspended immediately for at least 2 months.  
During this period of suspension the culprit may not attend, contribute, claim or receive any service, activity, favour, or benefit provided by, for, on behalf of, in the name of LECDA-PTA. However, the culprit may appeal.
- c- A letter of expulsion shall be issued to the culprit.

However, the culprit may return to the Association as a new member after at least 1 year from the date of expulsion and after showing some remorse through a convincing letter of appeal.

## **ARTICLE 2: THE ASSOCIATION STRUCTURE**

### **SECTION 1: GENERAL ASSEMBLY**

- a- The General Assembly shall be made up of individual members of the Association
- b- The authority of each member shall be exercised through the casting of his/her vote
- c- Each member shall be entitled to one and only one vote.
- d- Decisions shall be reached when a simple majority of the members through the exercise of their votes have sided with an opinion
- e- The General Assembly shall delegate its powers through the election of the executives
- f- The General Assembly shall exercise its authority when necessary to pass a vote of no-confidence on an elected official or the executive. This vote will be passed if 2/3 majority of the General Assembly vote in favour of such a decision.

### **SECTION 2: THE EXECUTIVE**

#### **a- Term of office**

- i) The term of office for the executive shall be 2 years
- ii) An executive officer may not occupy the same office for more than 2 (two) consecutive terms of office
- iii) Election shall take place on the last meeting session of November at the end of each term of office.
- iv) The newly elected executive officers shall assume office during the first meeting session of the following year through an official handing over.

**b- Election modalities**

- i) An Electoral Committee shall be formed by the general assembly on the day of the election and shall comprise of 3 members:
  - The chairperson
  - The secretary
  - A member
- ii) Only active members may nominate, second a nominee or accept a nomination.
- iii) The positions of the President, Secretary General and Treasurer may be occupied only by 100% indigenes of Lebialem Division
- iv) A contester is declared the winner when he/she receives a simple majority of the votes
- v) In case of a tie (bracket or draw), the electoral committee members may exceptionally be allowed to vote.
- vi) In an office where there is a vice or assistant, gender balance may be applied (male and female).
- vii) The electoral committee shall dissolve itself immediately after the proclamation of the final result.

The executive shall comprise of 11 (eleven) members elected by the general assembly, through a simple majority vote by secret ballot.

**c- Functions of the Executive**

The executive shall perform the day-to-day running of the association

**d- Composition**

The executive shall comprise of:

- 1) President
- 2) Vice president
- 3) Secretary general
- 4) Assistant Secretary General
- 5) Financial Secretary
- 6) Treasurer
- 7) Organizing Secretary (male)
- 8) Organizing Secretary (female)

- 9) Protocol officer (Chief whip)
- 10) Publicity Secretary (PRO)
- 11) Cultural officer

#### **e- Attribution of functions**

##### **1) The President**

His/her duties shall include:

- Presiding over LECDA-PTA meetings
- Organizing and chairing LECDA-PTA activities and events.
- Overseeing supervising activities of the executive
- Watches over LECDA-PTA's funds and assets
- Authorizes expenses, payouts and disbursal of funds from LECDA-PTA's coffers
- Represent the Association in all public ceremonies and other legal issues
- Create other sub-committees with the approval of the General Assembly to assist in the smooth running of the association.
- May delegate a member to chair a meeting or an event
- Can appoint a personal adviser if necessary
- Perform any other tasks assigned by the General Assembly.

##### **2) Vice President**

He/she shall:

- Perform the duties of the President in the latter's absence.
- Assist the president in the execution of his/her duties
- In the event of incapacitation, resignation or dismissal of the President, the vice president automatically assumes office of the president till the end of term.
- Perform any other duties assigned by the president

##### **3) Secretary General**

- Take, develop and keep minutes of all LECDA-PTA meeting sessions
- Prepares the agenda of all meetings in consultation with the president.
- Keeps register of all the association members.

- Performs all secretarial duties of the association
- Keep a copy of the audit report
- Represents the president and vice in their absence
- Take down financial totals on every meeting session

#### **4) Assistant Secretary general**

He\she shall

- Perform the duties of the secretary general in the latter's absence
- Assist the secretary general in his\her duties.
- Performs any other duties assigned by the president

#### **5) Financial secretary**

He\she shall

- Keep standard accounting books and financial records of all the LECDA-PTA financial transactions
- Keep up to date record of all funds and dues collected by the association
- Keep a record of all funds disbursed by the treasurer and authorized by the president
- Prepare a sectional financial report and present same to the general assembly at the end of every section, e.i. June and December.
- Provide the audit committee or auditors with all financial documents as shall be demanded
- Keep proper records of all njangi transactions (contributors and beneficiaries)
- Keep a copy of the financial audit report

#### **6) Treasurer**

He\she shall

- Manager or oversee the management of the financial affairs of the association, often including such basic tasks as selecting a bank, reconciling bank statements and managing cash flow
- Have thorough knowledge and understanding of the association's financial reports and important financial ratios

- Be responsible for preparing or facilitating the preparation of an annual budget as well as regularly monitoring and comparing the actual revenues and expenses incurred against such budget.
- Receive and keep safe all the association's funds
- Sign for all funds received from the financial secretary
- Pay out all expenditures approved by the president
- Play a leading role in fund raising activities by advising the association on such matters and organising them
- Advise the president on the financial situation of the association

## **7) Organizing Secretary**

He/she shall

- Be responsible for the organisation of all Association' events
- Ensure that each member or guest is served with refreshment when such is available
- Ensure the proper observation of protocol at all events organised by the Association
- Introduce entertaining and light-hearted elements at meeting sessions
- Advise the president on social matters

## **8) Protocol officer (Chief Whip)**

He/she shall

- Be the custodian of law and order at all meeting sessions and events organised by the Association
- Ensure that members attend meetings and events on time by imposing fines on late-comers
- Encourage members to be present for meetings and other LECDA-PTA events by imposing fines on absentees
- Ensure a proper working, orderly and friendly atmosphere during meeting sessions and other LECDA-PTA events through warning and imposing fines on members who display disruptive conducts.
- Monitor the social media platform of the Association and impose fines, warnings or sanctions to members who post un-wanted pictures, videos and comments that contradict the objectives of LECDA-PTA



#### **9) Publicity Secretary (PRO)**

He/she shall

- Inform all LECDA-PTA members of all association events, time and venue
- Inform members about the latest developments and up-dates concerning the Association
- Disseminate information about the Association to the public at large with a goal of creating public awareness.
- Play a major role in updating the website of the Association as often as possible.
- Play a major role in identifying Companies, Associations and individuals to be invited to Association's events and functions.
- Produce and dispatch invitation letters or cards to invitees

#### **10) Cultural Officer**

He/she shall

- Play a leading role in the teaching and propagation of the Lebialem cultural norms and values.
- Encourage the practice of traditional songs and dances by organising practice sessions.

### **ARTICLE 3: FINANCIAL OBLIGATIONS**

#### **SECTION 1: REGISTRATION**

A registration fee of R200 shall be paid on becoming a member of LECDA-PTA

#### **SECTION 2: RE-REGISTRATION**

The sum of R100 shall be paid by each member during the first meeting session of the year to confirm membership.

#### **SECTION 3: DEATH OF AN ACTIVE MEMBER**

In the event of the death of an active member, the amount to be spent for the funeral arrangements and the repatriation of corpse shall be shared to all the members to pay. However, if the member passes on while in Cameroon, the sum of R20,000 shall be sent to the immediate family in Cameroon.

#### **SECTION 4: DEATH OF AN IMMEDIATE FAMILY MEMBER**

In the event of the lost of a father, mother, spouse or child, the bereaved member shall receive R10,000 as a condolence package.

For the wake-keeping or memorial service the sum of R2,500 will be disbursed for food, all the men shall come with at least 2x6packs of beer, wine, cold drinks, etc and the women shall meet to cook what they shall agree on.

The amount disbursed shall be shared to all the members to pay.

However, if the bereaved is regarding a brother or sister, all the members shall be expected to congregate at the bereaved residence to offer their emotional support. (Free-will donation shall be welcome)

#### **SECTION 5: ILLNESS OF A MEMBER**

Any active member who is ill to the extent of being hospitalised for 3 or more days or incapacitated to work as a result of the illness for 5 or more days will receive financial assistance with the sum of R3,000 from the association.

#### **SECTION 6: BIRTH IN THE FAMILY**

Each member shall contribute the sum of R100 (and R200 if both parents are LECDA-PTA active members) towards the visit to welcome the new born baby into the member's family.

The sum of R2,000 will be handed to each active parent, R1,500 will be used to buy a gift for the new born baby and the balance will go in to the Association's coffers.

#### **SECTION 7: MARRIAGE**

Couples shall be recognised as such after presentation before the general assembly. When a couple invites the Association to their marriage celebration, each member shall contribute the sum of R100 (and R200 if both parties are LECDA-PTA active members).

The sum of R2,000 will be handed to each active party, R1,500 will be used to buy a gift for the couple and the balance will go in to the Association's coffers.

## **SECTION 8: ATTENDANCE TO ASSOCIATION EVENTS**

All members are expected to attend all general assembly meetings and all other association events and participate in all deliberations.

## **SECTION 9: FINES**

### **a- Punctuality**

The penalty for late coming to meetings and all other association events is R10. The protocol officer may start collecting these fines 30 minutes after the scheduled time.

### **b- Absenteeism**

Unjustified absence from meetings and other association events shall attract a fine of R50.

Unjustified absence from funerals or condolence visits shall attract a fine of R100.

### **c- Failure to put on uniform** when announced shall attract a fine of R200 and if the member is absent from such an occasion without a tangible reason the fine shall be R250.

### **d- Disruptive behaviour**

Any member who behaves in such a manner that disrupts the smooth progress of the meeting or any other event organised by the association shall pay a fine of R100. The fine may be doubled to R200 if the culprit refuses to abide by the call to order. These may include provocative or abusive comments addressed to a member either directly or indirectly.

### **e- Indiscipline**

Any member who posts unnecessary images, videos or comments on the association's social media platform that violet the objectives of the association shall attract a fine of R250. The culprit may also be suspended from the platform till further notice.

**f- Failure to honour engagements**

Any member who fails to honour engagements or promises to the association without a tangible reason will be fined with R200.

**g- Bad faith**

- For one to benefit from njangi he/she shall present a surety. If one benefits from njangi and in bad faith fails to contribute for others his/her surety shall be held responsible.
- For one to loan money from the association coffers he/she shall present 2 sureties. If one loans money and in bad faith fails to pay back in due time his/her sureties shall be held responsible.
- If a member pledges to donate or offer something to the association and fails to honour the pledge on the due date, the value of the pledge shall be doubled and be paid during the next meeting session.

**h- Misappropriation of funds**

Association funds in the keepings of an executive officer or disbursed to a member for a given purpose, if used for personal purpose, may attract a fine of 100% of the amount embezzled.

This may include fake, fraudulent or falsified receipts or invoices.

This fine plus the amount embezzled shall be paid to the association within 02(two) meeting sessions. This may also lead to prosecution.

**i- Delays in paying fines**

All fines must be paid within 2 meeting sessions from the day the fine is incurred otherwise, the amount fined shall be deducted from the offender's compulsory savings or sinking fund at the end of the section.

- j- The president may also levy a fine depending on the gravity of the offence or the importance of the occasion.

## **ARTICLE 4: GENERAL AUDIT**

### **SECTION 1: AUDITING**

A general audit of LECDA-PTA finances and assets shall be conducted at the end of each year. This notwithstanding, the general assembly through a 2/3 majority vote could demand an impromptu audit.

### **SECTION 2: AUDIT COMMITTEE**

The members of the audit committee shall be selected through a vote by the general assembly. This panel of auditors shall comprise of 4 members: the chair person, the secretary and 2 other members. The committee shall dissolve itself after presentation of the final report to the general assembly.

### **SECTION 3: AUDIT FUNDS**

The Association shall provide the auditors with funds to cover their transportation and printing costs incurred during the exercise. However, the auditors shall only recover the amount spent upon presentation of the final report which shall explain how they incurred the cost.

### **SECTION 4: PERIOD OF AUDIT**

The auditors shall have a period of 1 month to present and submit the final report to the general assembly.

However, the committee may request for an extended period in case of any unforeseen and unavoidable circumstances that may arise during the recommended period.

## **ARTICLE 5: GENERAL PROVISIONS**

### **SECTION 1: AMENDING THE CONSTITUTION**

The constitution may not be amended, revised or altered in any way except voted for by at least 2/3 majority of the general assembly.

### **SECTION 2: AMENDMENT PROCEDURES**

Procedures for the amendment of the constitution shall be as follows:

- a- Any member seeking for the constitution to be emended shall submit a hand written application through the president to the general assembly indicating the areas of the constitution to be reviewed.
- b- The general assembly shall elect an ad-hoc committee to study the propositions and to come up with recommendations
- c- The Association shall provide the ad-hoc committee with funds to cover their transportation and printing costs incurred during the exercise. However, the committee shall only recover the amount spent upon presentation of the final proposal and also justify how they incurred the cost
- d- The ad-hoc committee shall comprise of 4 members: the chair person, secretary and 2 other members.
- e- The recommendations of the ad-hoc committee shall be tabled to the general assembly for approval and vote.
- f- The emended proposals shall be made law when voted for by at least 2/3 majority of the general assembly present.

### **SECTION 3: RATIFICATION OF THE CONSTITUTION**

This constitution is the initial constitution of LECDA-PTA. It shall be considered ratified when tabled at the general assembly of LECDA-PTA and passed by at least 2/3 majority of the general assembly present. When such a vote is passed, the members of the constitution amendment committee shall append their names and signatures on the constitution and appropriately disseminate copies to all the members and archive the original.

### **SECTION 4: TENURE OF THE CONSTITUTION**

The present constitution abrogates and replaces all other constitutions, rules, laws and regulations previously governing LECDA-PTA.

### **SECTION 5: DISSOLUTION OF THE ASSOCIATION**

In the event of the dissolution of the association of LECDA-PTA, all proceeds from the sales of tangible items/assets shall be shared amongst the existing members of LECDA-PTA.

**Constitution Amendment Committee Members**

- **CHAIRPERSON:** *Mr. ATEMNKENG Aloysius Lekeaka*
- **SECRETARY:** *Mr. ASONGANYI Boris FUATOW*
- **MEMBERS:** *i) NDI NKEMNJIFUA Gilbert*  
*ii) Ms. EMEFUA Sylvie*

***Done at Pretoria on the .....***