

CHARTER AND CONSTITUTION OF THE ASSOCIATION OF NIGERIANS ABROAD

PREAMBLE

We, the citizens of Nigeria, resident abroad, being aware of our responsibility to our country and strongly determined to contribute toward her social, economic, educational, technological, and political development, do hereby on this day, Wednesday, December 15, 1993, establish this document as the Charter and constitution of the Association of Nigerians Abroad.

CHAPTER I

The name of the organization (herein referred to as “the Association”) shall be Association of Nigerians Abroad.

ARTICLE 1-1.1 ACRONYM:

The acronym for the Association shall be ANA.

CHAPTER II

ARTICLE 2-1 OBJECTIVES:

The objectives for which the Association is established are:

- (a) To contribute actively towards the social, economic, educational, technological, and political development of our country, Nigeria.
- (b) To promote mutual understanding among the members of the Association and work together as a group for the advancement of Nigeria.
- (c) To promote and project a positive image of Nigeria and her cultural values.
- (d) To gather and disseminate information which is pertinent to Nigeria and/or beneficial to Nigerians.
- (e) To promote mutual interaction between the Association and other Associations and agencies worldwide that share similar objectives with ANA.
- (f) To serve as a channel of communication with the people and government of the Federal Republic of Nigeria with respect to the opinions, wishes, and aspirations of members of the Association.
- (g) To inform and educate the citizenry of Nigeria on the political process and democratic principles in Nigeria.
- (h) To explore, establish, and implement programs for the improvement of the educational system and institutions in Nigeria.

ARTICLE 2-2: STATUS:

The Association shall be non-profit, non-ethnic, non-religious, and non-partisan in all its dealings with the people and Government of the Federal Republic of Nigeria and the outside world. However, the Association shall, as and when necessary, advocate for democratic ideals, human rights, the rule of law, fairness, justice, and equity in Nigeria and for all Nigerians. The composition of the Association shall reflect the rich ethnic and cultural diversity of Nigeria.

ARTICLE 2-3: SERVICE:

The officers of the Association shall not receive any remuneration, either in cash or kind, for the office they occupy during the tenure of their duties unless such remuneration is approved by two-thirds majority vote of the General Assembly. No member of the Association shall be coerced to accept an office.

ARTICLE 2-3: MODE OF OPERATION:

The Association shall communicate on-line with the members through an internet-linked electronic mail listserver, or off-line through hardcopies obtained there from, provided such hardcopies are made at little or no cost to the Association.

CHAPTER III: MEMBERSHIP

ARTICLE 3-1: QUALIFICATION FOR MEMBERSHIP:

Membership shall be open to all Nigerian citizens abroad that are not below 18 years of age. Nigerians citizens under the age of 18 shall be granted Associate membership status. Non-Nigerian citizens with genuine interests in participating in and contributing to the activities of the Association may be granted Associate membership status as stipulated in Article 3-2. **Members who moved to Nigeria will retain associate membership.**

ARTICLE 3-2: REQUIREMENTS:

Application for membership shall be in writing to the Secretary of the Association. Each application shall be reviewed by the Executive Council to ensure that the applicant is a Nigerian in accordance with the criteria that shall be drafted by the Secretary and approved by a simple majority of the members. Additionally, the Executive Council shall by a two-thirds majority vote and in consultation with the members of the Association grant Associate membership to non-Nigerians that apply for membership. Membership dues shall not be required of Associate members, but the Association may accept donations from Associate members. An active member of the Association shall be a non-Associate member who is not delinquent in payment of membership dues. Active members shall vote, or be voted for into elected offices or appointed to any vacancies or committees provided the requirements stipulated in Article 4-3 are met. Associate members shall be eligible to participate in committees but shall not be eligible for elected offices or be parties to the public pronouncements of the Association.

CHAPTER IV: OFFICERS

ARTICLE 4-1: OFFICERS:

The officers of the Association, which shall form the Executive Council, shall be:

- (a) President
- (b) Vice President
- (c) General Secretary
- (d) Assistant General Secretary
- (e) Treasurer
- (f) Financial Secretary
- (g) Public Relations Secretary

- (h) Assistant Public Relations Secretary
- (l) Legal Adviser
- (j) Listserver Administrator
- (k) Ex-Officio Members

There shall be regional representatives who shall be co-opted into the Executive Council as the ex-officio members. The regional representatives shall be elected by the ANA members of their respective regions and they shall be responsible for assisting the Executive Council coordinate the activities of the Association in their respective regions. The regions shall be non-autonomous entities of the Association.

The following regions shall be created with the following minimum number of representatives:

- (1) Europe - to consist of Eastern and Western Europe (2)
- (2) US - to consist of US, Mexico, Caribbean, and South America (2)
- (3) Canada - to consist of Canada alone (2)
- (4) Asia and Oceania - to consist of main Asia, Middle East, Australia, New Zealand, and Japan (2)
- (5) Africa - to consist of Africa alone (2)

ARTICLE 4-2: COMMITTEES

The following committees, which serve the basic objectives of the Association, shall be standing committees:

- (a) Education
- (b) Public Relations
- (c) Technology
- (d) Election
- (e) Rules
- (f) Finance

The following committee shall be ad hoc:

- (a) Fundraising

All members of any committee shall be appointed by the Executive Council if there are no volunteers.

ARTICLE 4-2-1: COMPOSITION OF COMMITTEES

ELECTION COMMITTEE:

Shall consist of: -

- 1. Chairman
- 2. Secretary
- 3. Chief Returning Officer
- 4. Returning Officers, one from each region.
- 5. Any number of members as shall be decided by the General Assembly

EDUCATION COMMITTEE:

Shall consist of: -

- 1. Chairman
- 2. Secretary
- 3. Regional representatives, one from each region

4. Any other number of members as shall be decided by the General Assembly.

OTHER COMMITTEES:

The composition to follow the same pattern as the Education Committee

ARTICLE 4-3: ELECTIONS:

A member shall be eligible to vote or be voted for the offices listed in ARTICLE 4-1 above if, and only if, he/she has been a member of the association and is not financially delinquent to the Association for at least 6 months before the said election takes place.

A member shall be eligible to volunteer, vote, be voted for, or appointed to any vacancies in a committee if, and only if, he/she has been a member of the Association and is not financially delinquent to the Association for at least 3 months before the advertised vacancy elapses.

The scope of operation or functions of any Committee shall be determined by the Executive Council, but such functions or limits of operation shall be published to every member of the Association. Any failure of a Committee or a member of the committee to operate within stipulated limits (terms of reference) may be treated as a breach of trust and the Executive Council may take appropriate disciplinary measures against the committee or committee member.

However, in addition to any other duties which may be assigned to the Election Committee, it shall:

- (1) review all candidates for a particular office or vacancy and publish the result to all members of the Association, giving reasons for disqualifying any candidate;
- (2) prepare, update, and publish a list of all eligible voters at the time the advertisement for the election or vacancy is made.

ARTICLE 4-3.1: NOMINATIONS:

Any active member of the Association shall be eligible to nominate candidates to any elected office or vacancy. The method of nomination shall be in a format prepared by the Election Committee and approved by the Executive Council.

ARTICLE 4-4: TENURE OF OFFICE:

The officers of the Association listed in ARTICLE 4-1 and those serving on standing committees shall hold office for a period of one calendar year after which they may be re-elected or re-volunteer. The officers of the Association serving on ad hoc committees shall hold office for a period equal to the life of the committee. The life of an ad hoc committee may as and when deemed fit is extended by the Executive Council. However, no ad hoc committee shall have a cumulative life span of more than six months with the same composition of members.

No officer of the Association listed in ARTICLE 4-1, except Listserv Administrator, shall hold the same office for more than two consecutive years. Where an officer of a standing committee is not also a member of the Executive Council, such officer can hold the same office in the same committee for up to, but not exceeding, five consecutive years provided he/she re-volunteers accordingly or is re-elected. Any committee which is adjudged by the Executive Council to require more than a year to produce any

meaningful results or which may be needed for continuity may be deemed a Special Standing Committee, and the life of such a committee shall be extended for a period not exceeding one calendar year.

The President, Vice President, General Secretary, Assistant General Secretary, Treasurer, Financial Secretary, Public Relations Secretary, Assistant Public Relations Secretary, and Listserver Administrator of the Association shall each have a valid and reachable electronic mail address before, during, and shortly their tenure of office.

ARTICLE 4-4.1: RESIGNATION

Any official of the Association may resign from his/her position by submitting in writing a resignation letter to the President of the Association thirty days before the effective date of resignation. The President shall within seven days of receipt of such resignation letter submit it to the Executive Council for approval and announce it to the members of the Association. The Executive Council shall appoint an active member of the Association to act in the capacity of the vacant position for the remaining term of the resigning official. In case of the resignation of the President of the Association, the President shall submit his/her resignation letter to the General Secretary of the Association thirty days before the effective date of resignation. The General Secretary shall within seven days of receipt of the President's resignation submit it to the Executive Council for approval and announce it to the members of the Association. The Vice President shall become the President of the Association upon resignation of the President and the Executive Council shall appoint an active member of the Association as the new Vice President.

ARTICLE 4-4.2: IMPEACHMENT

An elected official of the Association shall be impeached for misconduct while in office. Any active member of the Association may submit a written allegation of misconduct against an elected official or combination of officials of the Association to the Rules Committee. The Rules Committee shall, within seven days of receipt of the allegation and in writing, notify the accused official of the alleged misconduct. The identity of the member making the allegation and the committee's investigation of the misconduct shall be made known to the accused official. The identity of the member making the allegation shall remain confidential subject to disclosure by a majority vote of the General Assembly. The accused official shall be given reasonable time to prepare his/her defense to the committee. The Rules Committee shall investigate all allegations against any official of the Association and formally present its findings, verdict, and recommendations to the General Assembly of the Association in reasonable time. A simple majority vote of the General Assembly is required to ratify the verdict and recommendations of the Rules Committee.

ARTICLE 4-4-3: OATH OF OFFICE

Every elected official of the Association shall take an Oath of Office before assuming the duties and responsibilities of the office to which he/she is elected. The chairman of the Elections Committee shall administer the oath of office. The said oath shall be disseminated to the members of the Association.

ARTICLE 4-5: DUTIES OF THE OFFICERS

(1) The President shall:

- (a) Be the Chief Executive Officer of the Association.
- (b) Preside at all meetings of the Association and all Executive Council meetings. In his/her absence, the Vice President shall preside.
- (c) Supervise and coordinate all activities of the Association.
- (d) With the Treasurer and the Financial Secretary act as signatory to all the Association's financial transactions.
- (e) Represent the Association at outside meetings, conferences, and appointments, which will serve the overall interest of the Association. The president can appoint any other member of the Executive Council or a chairman of a standing committee to represent him/her at such events.
- (f) Be a signatory to all advertisements of the Association.
- (g) Be the official spokesperson for the Association or designate another member of the Executive Council to act in that capacity. All public statements and comments issued by any spokesperson of the Association shall reflect the general opinion of the members of the Association.

(2) The Vice President shall:

- (a) Act for the President in his/her absence.
- (b) Chair the Admission/Membership and Fund-Raising committees
- (c) Discharge other duties that may, from time to time, be assigned to him/her by the president.

(3) The Secretary General shall:

- (a) Keep minutes of all meetings of the Association and those of the Executive Council.
- (b) Be responsible for all correspondence of the Association
- (c) Be a signatory to all advertisements of the Association.
- (d) Be responsible for the preparation and distribution of the Annual report of the Association.

(4) The Assistant Secretary General shall:

- (a) Act for the Secretary General in his/her absence.
- (b) Discharge other duties that may, from to time be assigned to him/her by the Secretary General.

(5) The Treasurer shall:

- (a) Collect all monies on behalf of the Association and deposit them in the Association's account within one week of receipt of the monies.
- (b) Keep an imp rest account of not more than one hundred US dollars (US\$100.00) or as decided by the members.
- (c) With the President and the Financial Secretary act as signatory to all the Association's financial transactions.
- (d) Chair the Finance Committee.

(6) The Legal Adviser shall:

- (a) Advise the Association on legal matters.
- (b) Carry out other duties that may, from time to time, be assigned to him/her by the President.
- (c) Be a member of the Rules Committee.

(7) The Financial Secretary shall:

- (a) Keep proper record of all financial transactions of the Association.
- (b) With the President and the Treasurer act as a signatory to all the Association's financial transactions.
- (c) Be a member of the Finance Committee.

- (d) Publish quarterly and annually a financial report of the Association.
- (8) The Assistant Financial Secretary shall:
 - (a) Act for the Financial Secretary in his/her absence.
 - (b) Carry out other duties that may, from time to time, be assigned him/her by the Financial Secretary.

- (9) The Public Relations Secretary shall:
 - (a) Be responsible for all public relation matters of the Association.
 - (b) Be responsible for calling meetings and setting agendas for all meetings of the Association.
 - (c) Chair the Advertisement/Public Relations Committee.

- (10) The Assistant Public Relations Secretary shall:
 - (a) Act for the Public Relations Officer in his/her absence.
 - (b) Carry out other duties that may, from time to time, be assigned him/her by the Public Relations Secretary.

- (11) The Listserver Administrator shall:
 - (a) Set up and maintain the internet-linked listserver for the Association.
 - (b) Add and delete members of the Association to the list as necessary.
 - (c) Ensure reasonable confidentiality of the membership list of the Association from outside inquiry.
 - (d) Appoint with approval of the Executive Council other ANA members to assist in the administration of the listserver.
 - (e) Carry out other duties that may, from time to time, be assigned him/her by the Executive Council.

- (12) Regional Representatives shall chair the regional chapters of the Association.

ARTICLE 4-6: DUTIES OF DIFFERENT ORGANS

- (a) The Executive Council:
 - (i) Shall be responsible for managing the financial affairs of the Association; for reviewing the activities and policies passed by the various committees of the Association to ensure that they are for the overall interest of the Association; for writing terms of reference and/or job descriptions for all committees, provided that such descriptions or terms of reference do not contradict or duplicate any duties or stipulated in the Charter; and for enacting policies and activities as seem fit to ensure the smooth running of the Association.
 - (ii) Shall at the beginning of each financial year submit to the General Assembly for approval a balanced budget proposal for the fiscal year.
 - (iii) Design and implement programs to accomplish the objectives of the Association as stated in ARTICLE 2-1.
- (b) Fund-Raising Committee:
 - (i) Shall be an ad hoc committee that coordinates fund-raising activities.
 - (ii) The chairman of the committee shall be the Vice-President and is responsible for calling meetings, setting agendas, and preparing reports to the Executive Council.
- (c) Finance Committee:
 - (i) Shall be a standing committee chaired by the Treasurer of the Association.
 - (ii) Is responsible for ensuring that accurate record of the financial transactions of the Association is kept, and for preparing audited annual financial reports to General Assembly.

(d) Education Committee:

(I) Shall be a standing committee

(ii) Shall formulate the educational blueprint of the Association for the purposes of extending educational services to Nigeria. This shall include, but not limited to, canvassing for books, journals, etc., for schools in Nigeria; formulating strategies for members to volunteer or take sabbaticals in Nigerian Universities.

(e) Technology Committee:

(I) Shall be a standing committee

(ii) Shall develop strategies for acquiring laboratory equipment, computers, etc. for Nigerian schools.

(iii) Shall vigorously pursue the idea of having a viable e-mail links between Nigeria and the outside world.

(f) Public Relations Committee:

(I) Shall be a standing committee

(ii) Shall be responsible for drafting various newspaper or magazine advertisement of the Association.

(iii) Shall be responsible for making contacts with various publishing houses to ensure publication of the Association's advertisements.

(g) Rules Committee

(I) Shall be a standing committee

(ii) Shall be responsible for reviewing, drafting, and enforcing rules of the Association.

(iii) Shall conduct disciplinary hearings and make recommendations for the Association.

CHAPTER V: OPERATIONS

ARTICLE 5-1: OPERATIONS

(a) ANA shall maintain a headquarter, regional offices, and a liaison offices as operationally necessary.

(b) The headquarters of the ANA shall be located in the city where the President of the Association is located.

(c) The President shall use facilities currently available to him/her.

(d) ANA shall maintain a post office box address for official surface mail correspondence.

(e) ANA shall provide the President during his/her tenure of office a telephone to be used only for conducting the official business of the association. The phone number and e-mail address of the President shall be the official contact sources for the association.

(f) ANA shall publish a monthly electronic newsletter detailing the activities of the organization and shall be archived for future reference.

(g) ANA Executive Council shall meet at least once every month. The Executive Council and committee meetings shall be conducted electronically. The members shall designate a specific time convenient for all members.

(f) ANA shall abide by the laws and regulations of the host country in which it operates.

ARTICLE 5-2: FINANCES

(a) ANA shall maintain at least two bank accounts; one in the same city where the President is resident, the other in the same city where the Treasurer is resident.

(b) The fiscal year of the Association will begin 1st day of September and end the last day of August of each year.

(c) All payment for services will be done through a bank check and the treasurer/financial secretary will keep records of all expenditures.

(d) The President, the treasurer, and the financial secretary will present a quarterly report of the Association's finances to the General Assembly.

(e) An audit of the Association's account will be made annually to ANA members explaining the Association's fiscal status and reporting on the audit.

(f) All expenditures above \$200 will need the approval of two-thirds of the executive.

(g) Anonymous donations shall be accepted by the Association and the identity of the donor shall remain confidential at all times.

ARTICLE 5-3: FUNDRAISING

(a) All fundraising activities will be coordinated by the President in conjunction with the fundraising committee.

(b) The fundraising committee in association with members of ANA will be responsible for identifying fundraising activities

(c) A list of all donors and amount donated will be compiled and made public to ANA members. Anonymous donors shall be listed as "anonymous".

(d) The fundraising committee will be responsible for solicitations, acknowledging and receiving gifts, donations and other fundraising contributions.

(e) All solicitations will be evaluated by the fundraising committee.

ARTICLE 5-4: OBLIGATIONS OF THE MEMBERS:

All members of the Association shall:

(a) Pay the annual dues and other approved levies as and when due.

(b) Participate in all meetings and activities of the Association.

(c) Vote in all elections of the Association and on issues requiring a vote.

(d) Abide by all rules and regulations of the Association.

(e) Not accept for personal disposition gratuity from non-association sources for any services or duties performed on behalf of the Association. Any such gratuity shall be donated to the Association.

ARTICLE 5-5: POWERS OF THE GENERAL ASSEMBLY

The General Assembly (members of the Association at a forum) shall be the highest organ of the Association.

ARTICLE 5-6: DISCIPLINE

Any member of the Association who violates or infringes on any of the provisions of this constitution shall be liable to disciplinary action by a decision of a two-thirds majority of the members present at a general meeting. Such a member shall have been given a fair hearing by the Rules Committee, which shall make recommendation(s) of the said hearing to the Executive Council.

ARTICLE 5-7: CONFIDENTIALITY

The list of members of the Association and related records shall remain a confidential and proprietary asset of the Association. All strategic plans and deliberations of the Executive Council and committees shall not be disclosed to any non-member of the Association.

ARTICLE 5-8: QUORUM

No quorum shall be necessary to discuss matters of the Association. However, on matters for which a vote is to be taken, a half of the members shall constitute a voting quorum.

ARTICLE 5-9: BYLAWS

The Association shall have a set of by laws. The bylaws shall stipulate the specific details of provisions in this charter and constitution. All statutes written for the operations of the Association shall be part of the bylaws. No article in the bylaws shall render any provision in this charter and constitution null and void. This charter and constitution of ANA supersedes all bylaws of the Association.

ARTICLE 5-10: DISSOLUTION

Upon dissolution of the Association, all assets of the Association shall be distributed to one or more charitable, educational, and scientific organizations that are non-profit and non-political.

ARTICLE 5-11: AMENDMENT OF THE CHARTER AND CONSTITUTION

Any member who desires to have the constitution amended shall in writing make this known to the Executive Council, which shall publish this information to all members. The General Assembly is vested with the power of amending any section of this Charter and Constitution by a two-thirds majority of the members in a general meeting and voting.

BRIEF-1: MEMBERSHIP, CITIZENSHIP, AND VOTING

References:

ANA Charter ARTICLE 3-1: QUALIFICATION FOR MEMBERSHIP

ANA Charter ARTICLE 3-2: REQUIREMENTS

ANA Charter ARTICLE 4-3: ELECTIONS

ANA Charter ARTICLE 4-3.1: NOMINATIONS

The Rules Committee of ANA, hereafter referred to as “the committee”, after careful and comprehensive review of the ANA charter with respect to membership, citizenship, and voting stipulations of the charter, hereby submits the following brief to the Executive Council of the Association.

General Overview

The committee finds that in accordance with ARTICLE 3-1 of the charter of ANA, the following categories of people are qualified for membership in the Association:

Category 1: Nigerian citizens abroad over 18 years of age.

Category 2: Nigerian citizens abroad under 18 years of age.

Category 3: Non-Nigerian citizens.

By the stipulation of ARTICLE 3-1, category 1 is eligible for full membership in the Association while category 2 and category 3 are eligible for Associate membership. The committee also finds that there is no definition of citizenship of Nigeria in the Charter of the Association. For the purpose of determination of membership qualification, status, and citizenship, the charter of the Association in ARTICLE 3-2 grants the Executive Council and the General Secretary of the Association the power and the responsibility to devise the process and criteria for citizenship subject to approval by a simple majority vote of the members of the Association.

The committee finds that for the election and the voting processes of the Association, the charter in ARTICLE 3-2 defines an "Active Member" as a subset of the Association membership. According to ARTICLE 3-2, "An active member of the Association shall be a non-Associate member who is not delinquent in payment of membership dues. The committee finds that the charter restricts the privilege of running for elected offices of the Association as well as voting for contestants for those offices to "Active Members" of the Association. The relevant clause of the charter in ARTICLE 3-2 states: "Active members shall vote, or be voted for into elected offices, or appointed to any vacancies or committees provided the requirements stipulated in Article 4-3 are met." Based on the above stated references in the charter of ANA, the committee finds the following participation definitions for the three categories of members.

Category 1: Nigerian citizens abroad over 18 years of age.

- (a) Are eligible for full membership.
- (b) Can vote or run for elected office only if Active member.
- (c) Can participate in committees at any capacity.
- (d) Are required to pay membership dues.

Categories 2 and 3: Nigerian citizens abroad under 18 years of age and Non-Nigerian citizens

- (a) Are eligible only for Associate membership.
- (b) Cannot vote in general elections or run for elected office.
- (c) Are not required to pay membership dues.

Recommendations

Membership categorization and obligation:

Based on its findings upon review of the charter of the Association, the committee, by majority vote, reaffirmed the membership categorization, delineation of responsibilities and extent of participation as contained in articles 3-1, 3-2, 4-3, 4-3.1, and amended 5-4.

Qualification for Membership:

The committee determined that the charter is not unambiguous with respect to specifying the mechanism for ascertaining Nigerian citizenship. The committee further determined that one of two general criteria are applicable for this purpose, via, a) constitutional definition of Nigerian citizenship

(version of the constitution to be determined by the Execo);

b) Liberal definition of Nigerian citizenship based on pertinent attributes such as the possession of a Nigerian passport (current or expired) or a birth certificate/sworn affidavit indicating birth in Nigeria or to Nigerian parents.

The committee, by simple majority vote, favors the latter criterion (i.e. option (b)). The Execo is advised to devise appropriate verification procedures. The committee also recommends that the Executive Council seek legal counseling, if necessary, to make a sound decision on this issue.

BRIEF-2: OBLIGATIONS OF FULL AND ASSOCIATE MEMBERS

Reference: ANA Charter Article 5-4: OBLIGATIONS OF THE

MEMBERS

Article 5-4 in its present form states that

All members of the association shall:

- (a) Pay the annual dues and other approved levies as and when due
- (b) Participate in all meetings and activities of the association
- (c) Vote in all elections of the association and on issues requiring a vote
- (d) Abide by all rules and regulations of the association
- (e) Not accept for personal disposition gratuity from non-association sources for any services or duties performed on behalf of the association. Any such gratuity shall be donated to the association.

Recommendations

The committee upon recognizing the inconsistency between the recommendations regarding membership status and some of the provisions of article 5-4 in its present state recommends that the article be modified as follows; All full members of the association shall:

- (a) Pay the annual dues and other approved levies as and when due
- (b) Vote in all elections of the association and on issues requiring a vote All full and associate members of the association shall:
- (c) Participate in all meetings and activities of the association
- (d) Abide by all rules and regulations of the association
- (e) Not accept for personal disposition gratuity from non-association sources for any services or duties performed on behalf of the association. Any such gratuity shall be donated to the association.

BYLAW 94-01: ANA REPRESENTATIVE IN NIGERIA

References: ANA Charter ARTICLE 3-1: QUALIFICATION FOR MEMBERSHIP

ANA Charter ARTICLE 4-1: OFFICERS

The Association shall have a Representative residing in Nigeria. The Representative shall be designated ANA Representative (Nigeria) and be responsible for (1) coordinating the affairs of ANA in Nigeria as directed by the Executive Council in consultation with the general assembly (2) identifying and reporting to the Executive Council programs whose implementation will enhance the social, economic and political upliftment of Nigeria (3) assessing the impact of ANA programs on the peoples and the Federal

Republic of Nigeria and reporting these assessments to the executive council of the Association (4) carrying out other duties that may be assigned by the Executive Council Qualifications/Compensation - The Representative shall have been a former full member of ANA while living abroad and prior to taking up residence in Nigeria, or any qualified Nigerian selected by the Executive Council. The Representative shall be appointed by the Executive Council and shall receive monetary compensation, the amount of which shall be determined by the Executive Council. The official means and scope of communications between ANA and the Representative in Nigeria, shall be determined by the Executive Council, which shall also determine the number of people serving in this capacity.

BYLAW 94-02: ABSENTEE VOTING

References: ANA Charter ARTICLE 4-3: ELECTIONS

ANA Charter ARTICLE 3-2: REQUIREMENTS

The Elections Committee of the Association shall devise and implement policies and procedures for absentee voting in all elections of the Association. The committee shall compile and maintain a list of absentee voters of the Association. An absentee voter is a qualified voting member of the Association who has no access to the Association's internet-linked listserver. The Elections Committee shall submit all policies and procedures on absentee voting to the Executive Council for approval sixty days before a scheduled election. The submitted policies and procedures on absentee voting shall be approved for implementation by a simple majority of the Executive Council thirty days before a scheduled election.

BYLAW 94-03: COPYRIGHT NOTICE

References: N/A

The Executive Council, committees, and members of the Association shall attach copyright notice to all official documents produced, published, or posted by or on behalf of the Association. The Executive Council may attach with the copyright notice explicit prior permission for duplication and dissemination of the documents by members of the Association or non-Association entities.

BYLAW 95-01: SPECIAL ELECTION AND APPOINTMENTS

References: None

The Election Committee shall conduct a Special Election to fill all vacant elected offices of the Association. The Special Election shall be held on a date no later than half the term of office of the incumbent Executive Council. All eligibility requirements for the general election shall apply to the Special Election. The Executive Council shall have power to make temporary appointments to unfilled or vacated elected offices. The term of office of a temporary appointee shall end at the next general election, or the next Special Election after the appointment whichever comes first. No person shall be appointed to the same vacant elected office on two consecutive appointments. Only Active Members shall be appointed to unfilled or vacated offices. The Executive Council is hereby granted power to dismiss an appointee from office for inefficiency, or dereliction of office and responsibilities, or conduct that is in violation of the Charter and Bylaws of the Association.

BYLAW: 95-02: CUSTODIANSHIP OF CHARTER AND BYLAWS OF ANA

References: None.

The Rules Committee shall be the principal custodian of the official Charter of ANA. All ratified rules, regulations, statutes, bylaws, and amendment to the Charter of the Association shall also be under the official custodianship of the Rules Committee.

BYLAW 95-03: EXECUTIVE AUTHORITY DURING AND AFTER GENERAL ELECTIONS

References:

ANA CHARTER 4-1: OFFICERS

ANA CHARTER 4-2: COMMITTEES

ANA CHARTER 4-4: TENURE OF OFFICE

ANA CHARTER 4-5: DUTIES OF THE OFFICERS

ANA CHARTER 4-6: DUTIES OF DIFFERENT ORGANS

ANA CHARTER 4-3: ELECTIONS

The incumbent Executive Council of the Association and the incumbent Chairs and other officers of committees of the Association shall remain in office and manage the affairs of the Association during the period of general election, including the periods of registration, campaigning and voting. No organ or committee of the Association is granted the power to dissolve the Executive Council of the Association except in accordance with ARTICLE 4-4 on Tenure of Office. The incumbent Executive Council shall be dissolved on the day the new Executive Council is sworn in by the Election Committee. The outgoing Executive Council shall have fifteen days after the new Executive Council is sworn in, to transfer all ANA asset, property and all forms of related records, and all other administrative records of the Association to the new Executive Council. The new and the outgoing Presidents of the Association shall report to the General Assembly on the state of the transition of administration upon its completion.

AMENDMENT-1: ELECTIONS

References: ARTICLE 4-3: ELECTIONS

An Active Member shall be eligible to vote or be voted for the offices listed in ARTICLE 4-1 above if, and only if, he/she has been a member of the association and is not financially delinquent to the Association for at least 4 months before the said election takes place. An Active Member or an Associate Member shall be eligible to volunteer, vote, be voted for, or be appointed to any vacancies in a committee if, and only if, he/she has been a member of the Association for at least 3 months and is not financially delinquent to the Association. An Associate is exempt from the financial delinquency clause. The scope of operation or functions of any Committee shall be determined by the Executive Council, but such functions or limits of operation shall be published to every member of the Association. Any failure of a Committee or a member of the committee to operate within stipulated limits (terms of reference) may be treated as a breach of trust and the Executive council may take appropriate disciplinary measures

against the committee or committee member. However, in addition to any other duties which may be assigned the Election Committee, it shall: (1) review all candidates for a particular office or vacancy and publish the result to all members of the Association, giving reasons for disqualifying any candidate; (2) prepare, update, and publish a list of all eligible voters at the time the advertisement for the election or vacancy is made.

BYLAW 96-01: MEMBERSHIP DUES PROCEDURES

References: ANA Charter ARTICLE 3-2: REQUIREMENTS

ANA Charter ARTICLE 5-4: OBLIGATIONS OF THE MEMBERS

The Executive Council shall have power to revoke membership rights and privileges, including but not limited to disconnection from the ANA network, of a member that is delinquent in payment of membership dues to the Association. A new member shall pay appropriate membership dues to the Association within 30 days from the official date of admission into the Association. A new member shall be delinquent in payment of membership dues if the new member has been in the Association for more than 30 days and has not paid membership dues to the Association.

A member who has paid membership dues and has been in the Association for more than six months prior to the first day of the third month (March 1) of the calendar year shall pay appropriate membership dues by the end of the last day of the third month (March 31) of every calendar year. Such a member shall be delinquent in payment of membership dues to the Association if payment of membership dues is not made by the last day of the third month (March 31) of every calendar year. A member that is delinquent in payment of membership dues to the Association shall not run for elected office, or be appointed to a vacant office, or become an officer of any Committee of ANA. If a delinquent member is a member of the incumbent Executive Council, then the member shall be automatically disqualified from office and the office shall be declared vacant by the Executive Council. If the delinquent member is an officer in a Committee of ANA, then the member shall be automatically disqualified from the Committee office and the Executive Council shall declare the Committee office vacant and instruct members of the Committee to elect new officer. A member whose membership was revoked by the Executive Council may re-apply for membership by submitting a new membership application form and pay appropriate membership dues to the Association before membership is granted.

BYLAW 96-02: COMMUNICATIONS FROM EXECUTIVE COUNCIL

References: None

All official written communications delivered in the General Assembly or to an individual ANA member by a member of the Executive Council or to entities outside ANA shall bear the name and title of office of the Executive Council member as well as the date of the communication. A communication from the Executive Council or any member thereof shall not be considered official unless it meets the stipulation of this bylaw.

BYLAW 96-03: COMMUNICATIONS FROM MEMBERS TO EXECUTIVE COUNCIL

References: None

All requests for official information from any ANA member to any elected ANA officer or to the Executive Council as a whole shall be sent directly to the Executive Council for appropriate action. The request shall be clearly stated and captioned conspicuously as a request. The ANA member making the request shall sign and date the request accordingly. The Executive Council or the officer to whom the request is directed shall respond to the request in reasonable time that shall not exceed 10 working days from the date that the request was received. In the event that the Executive Council or the officer needs more time to respond to the request, such a need shall be communicated to the member making the request.

BYLAW 96-04: MOTIONS BYLAW

References: None

A member of ANA shall have the right to introduce motion at any time for consideration in the General Assembly (GA) or in a committee of ANA. Another ANA member shall second a motion so introduced in the General Assembly or in a committee before the motion can be considered for further procedural action. For any motion introduced and seconded in the General Assembly, the Executive Council shall have the responsibility of guiding the motion through debate, vote, and announcement of results in the General Assembly. The Executive Council shall appoint and announce to the General Assembly a member of the Executive Council to be the principal officer to whom motions introduced in the General Assembly shall be directed for proper action. The Executive Council shall also prepare and present to the General Assembly a procedure and process for motions in the General Assembly. Only ANA members who are not financially delinquent to the Association shall have the right to introduce, second, or vote on a motion under consideration in the General Assembly or in any ANA committee. A simple majority vote of members shall be necessary to pass a motion in the General Assembly and in accordance with Article 5-8 of the ANA Charter.

BYLAW 96-05: DECLARATION OF EXTERNAL AFFILIATIONS

References: None

A candidate contesting for an elected office, or a candidate appointed to an elected office, or a candidate contesting for Chair of a committee in ANA shall declare to the Election Committee and to the General Assembly, as part of the criteria for contesting for the office, the names of all organizations operating within or outside Nigeria with which the candidate is affiliated. The declaration shall include the full name of the organization and the capacity or rank that the candidate serves in the organization. Affiliation with professional, or charitable, or philanthropic organizations is exempt from the declaration. If necessary, a candidate may be required to provide to the Election Committee or other Committee of ANA a copy of the constitution or charter of any organization to which the candidate is affiliated.

If the affiliation with an organization occurs during the term of office of an officer, the officer shall notify the Election Committee, the Executive Council, and the General Assembly promptly. The notification shall include the full name of the organization and the capacity or rank that the candidate serves in the organization. Failure of any candidate or officer to make the declaration or submit the notification shall result in automatic disqualification of the candidate from office. A candidate shall not

contest for, or be appointed to, or hold any office in ANA if the candidate belongs to any organization that has objectives and conducts activities which are incongruent to the objectives and activities of ANA.

BYLAW 96-06: MERGER PROCEDURE BYLAW

References: None

Any organization seeking to merge (also called “merger” herein) with ANA shall make it formally known to ANA by means of a formal request letter to the Executive Council of ANA. The Executive Council shall communicate the merger request to the General Assembly and call for input from the General Assembly on the acceptance or rejection of such merger request. The Executive Council, after input from the General Assembly, shall vote in the Execo on the merger request. Upon its approval of the merger request, Executive Council shall set up a committee of ANA members to conduct detail negotiation of terms of the merger. No member of ANA with possible conflict of interest in the merger shall sit on the said Committee.

Final terms of any merger between ANA shall first be presented to the Executive Council for a vote. The Executive Council, after approval of the final terms of the merger, shall present it to the General Assembly for a ratification vote. ANA shall not merge with another organization if such merger shall adversely alter the identity and objectives of ANA, or violates any portions of the Charter of ANA. The members of an organization merging with ANA shall follow established ANA process to qualify for membership in ANA.

BYLAW 96-07: COMMITTEE CHAIRS AND COMMITTEE MEMBERSHIP LISTING

References: None

The Chairs of ANA Committees in conjunction with the Listserver Administrator, the Membership Committee, and the Treasurer shall act to ensure that the membership list of the Committee is kept updated at all times. The Chairs of Committees shall also act to ensure that the Committee functions in a manner that enables it fulfill its responsibilities to ANA.