

BY-LAWS OF THE:
ASSOCIATION OF NIGERIANS IN THE CAPITAL
DISTRICT OF THE STATE OF NEW YORK (ANCD-NY).

ARTICLE 1 – MEMBERSHIP

1. Membership classification in The Association shall be as follows:

A. **Full Paid** membership shall be for persons who are current in the payment of dues up to and including the current year. This type of membership shall entitle the member to benefits and voting privileges of The Association.

B. **Active** membership shall be for persons who are current in the payment of dues and participate in the activities of The Association. This type of membership shall entitle the member to all benefits and voting privileges of The Association.

Note: Non participation in the activities/functions of the Association (without cause) for a period of 4 consecutive months shall result to loss of active membership.

C. **Retiree** membership is open to all retired persons of Nigerian descent who pay (50% of the dues) of The Association. **Retiree** membership entitles the members to all benefits and voting privileges of The Association.

D. **Student** membership shall be for persons enrolled in any full time undergraduate program(s) in a degree granting institution. Eligible students shall be exempt from membership dues only. Post-graduate students shall pay fifty (50%) dues. Student members shall receive all benefits of The Association including voting privileges.

All members shall attend the October Special Event Meeting and the End of Year General Meeting/ festivities.

2. Membership Benefits:

Members and their families shall receive all benefits deriving from the activities of the Association for meeting the purposes of ARTICLES II and III in the constitution. Additional benefits in the form of gifts and other forms of support shall be given to members in periods of bereavement, other forms of emotional upheaval, extra ordinary achievement(s), and/or special events in a family as stated below:

Qualifying events and benefits:

- A. **Death of a member:** The association shall in the event of the death of its member make donations to the surviving family member to assist the family in funeral arrangements as follows.

Active members: - \$500.00

Full paid (inactive) members: - \$200.00

All donations shall be raised from the associations account.

- B. **Death of a biological parent:-** The Association shall in the event of the death of a biological parent of its active member donate \$250.00 to the bereaved member to assist in the funeral arrangement.

- C. **Child Birth:** - The Association shall in the event of the child birth by its member donate \$100.00 to the family either during the child's christening or naming. This includes the adoption of a child not older than two (2) years of age.

- D. **Graduation:-** The Association shall in the event of the graduation (from high school) of its members child donate \$25 to each child.

- E. **Expenses** – Expenses in support of members and their families in periods of emotional upheaval and/or special events other than those stated above shall be determined by the Welfare Committee. (A family is defined as the spouse and immediate children, where the children are twenty one (21) years or younger).

ARTICLE II – FINANCES

- A. The fiscal year of the ANCD-NY shall be from January 1st to December 31st.
- B. Annual membership dues of \$50.00 for couples and \$40.00 for singles shall be paid by the end of April each year. A late fee of \$1.00 per month shall be assessed thereafter and/or other penalties as may be determined by the general membership. The Executive Council, with approval from the general membership may propose an increase in membership dues of the Association.

- C. The Executive Council in accordance with the constitution shall set all other expenses (except for the October Special Event Meeting, the End of Year General Meeting/festivities and any extra ordinary achievement). Expenses for the October Special Event Meeting, the End of Year General Meeting/festivities and for appreciation of extra ordinary achievement shall be determined by the general membership.
- D. The president shall authorize all non-recurrent expenditures up to \$100.00 per month, if it is in the interest of the Association.
- E. All non-recurrent expenditures above \$100.00 shall be approved by the Executive Council. Recurrent expenditures up to \$250.00 per month may be authorized by the executive council but expenditures above \$250.00 must be approved by the general house.
- F. All activities relating to the representation of the association subject to the approval requirements as stipulated in Article II(c) (2 and 3) above shall be financed by the Association.

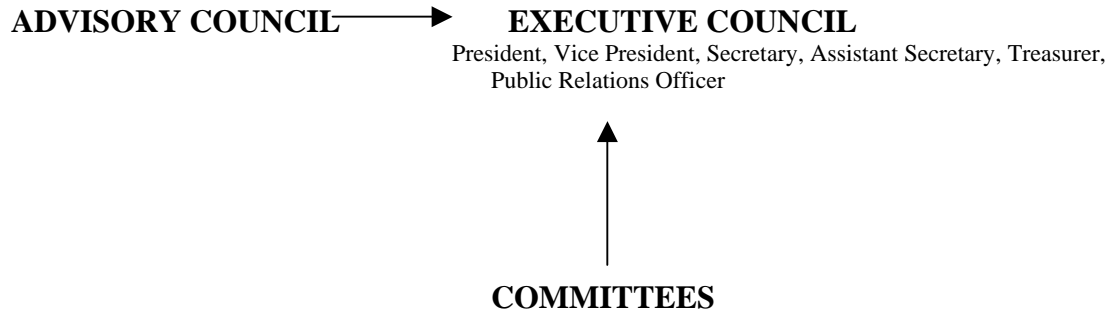
FINANCIAL COMMITMENT(S) –

- A. All financial commitment(s) for and on behalf of the Association must have proper approval in accordance with the Constitution/By-laws. Commitment(s) without proper approval shall be the responsibility of the individual involved in the transaction.
- B. In the event of an embezzlement or fraud or financial impropriety by a member, groups or legal entity against the association, the association (ANCD) will take necessary legal action in recovering stolen or misappropriated funds or property. In addition, the association will take necessary legal action in redeeming its image.

ARTICLE III – ORGANIZATION OF THE:

**ASSOCIATION OF NIGERIANS IN THE CAPITAL DISTRICT OF THE STATE OF
NEW YORK**

ORGANIZATIONAL FLOW CHART



Executive Council

The power of the administration and representation of the Association shall be vested in the Executive Council as described in the constitution. Executive Council members shall be elected by members who have paid their annual dues. Each officer of the Executive Council shall have a single vote.

Composition:

The Executive Council shall be comprised of the officers as stated in ARTICLE VIII of the Constitution and as depicted in the chart above.

Duties:

The Executive Council shall convene at the call of the President and shall:

- Transact business on behalf of The Association
- Develop and implement the annual program of activities for The Association
- Make an annual report of its accomplishments at the End of the Year General Meeting.
- Set time and place, with approval from the general membership, for the October Special Event Meeting
- Create/establish in writing functional guidelines for Committees
- Arrange for an audit of the records of any officer resigning from the Association
- Arrange for an annual audit of the Association's financial records which shall be conducted by two members elected by the general membership

- Be responsible for the safekeeping of the Association's property/records and proper investment of all funds of the Association
- Approve an operating budget for presentation and approval by members at a December Regular General Meeting.
- Approve on behalf of the Association participation in the activities or celebrations of other organizations, upon receipt of notice from such organizations
- Require a proposal from members who wish to conduct and direct a special event of interest to the community, and arrange for the proposals to be maintained in the files of the Secretary for a period of at least three years.
- Establish Committees as and when necessary.

Advisory Council

Composition

Membership and composition of the Advisory Council shall be decided by the Executive Council. The President shall nominate the Chair-person of the Advisory Council. The Advisory Council will maintain a record of their activities and shall submit such records to the Executive Council periodically. All past presidents of the Association who have successfully served two terms shall at they discretion be an automatic member of the Advisory Council.

Duties

- To provide a clearinghouse for ideas relative to the Association's policies and practices and to advise the Executive Council on such matters.
- To study and make recommendations on items referred to advisory council.
- To bring to the attention of the Executive Council matters which the council believes will assist in carrying forward the purposes of the Association in accordance with ARTICLE II of the Constitution.
- To serve as advisers to the President and the Executive Council
- The committee shall meet as necessary, independently or in conjunction with the executive Council.

COMMITTEES

Composition

The Executive Council with approval from the general membership shall create committees as necessary. Any and all members of the Executive Council shall have the right to sit in on any committee meeting as an observer. In addition, members of the Advisory Council shall also have the right to sit in on any of the committee meetings as an observer.

A. Standing

Standing Committees shall include but not limited to Membership, Welfare, and Home Country Special Events Committee.

B. Special

Special committees shall be established as needed.

C. Other Committees

Sub/Ad-hoc committees shall be established at the discretion of the President with the approval of the general membership.

Duties

- Each committee shall elect a chair-person
- Each committee chair-person shall, within the 31st day of his/her appointment present a plan (based on written guidelines from the Executive Council), a list of members, and a budget (if necessary) to the Executive Council, who, upon two-thirds majority shall ratify the plan.
- All committees shall operate under the guidelines approved by the Executive Council
- Each Committee shall make quarterly reports of its activities to the Executive Council
- Each committee shall inform the President of all meetings, prior to such meetings.
- Each committee shall develop and present to the President a program of activities within 4 weeks of their approval by the Executive Council and shall perform other duties as directed by the President and the Executive Council.

ARTICLE IV - GRIEVANCE COMMITTEE

The Grievance Committee and its Chair-person shall be appointed by the Executive Council. No member of the Executive Council shall be part of the Grievance Committee. Members of the Grievance Committee shall be selected from the Advisory Council and general membership.

There shall be a dispute resolution process in place (established by the Executive Council) and all grievances shall be channeled through the Grievance Committee. The committee's decisions shall be final.

ARTICLE V – ELECTION

Election Committee

An Election Committee from among the paid members shall be established by the Executive Council by October of the election year to conduct the elections for officers and auditors for the Association. This committee will solicit nominations for Executive Council/auditors positions and submit them to the Executive Council for certification. The Chair-person of the Election Committee shall present the names for a vote/position to the general membership. When voting is completed the committee shall count the ballots and certify to the President the names of the people duly elected. All elected officers shall serve the Association in accordance with the Constitution and by-laws.

Two auditors shall be elected annually to audit the financial accounts and this shall be done before a new administration is elected and sworn in. The President and the Treasurer shall be excluded as auditors or voters. Election of auditors shall be by the general membership and auditors shall carry out all required audits during their term of office.

Elections shall be conducted at a regular general meeting in the month of December of the election year. The ANCD calendar shall be as stated in Article II of the By-Laws (January 1st to December 31st)

Eligibility

Only paid active members are eligible to run for any office of the Association. All membership dues shall be paid at least 30 days prior to the election date to be eligible for nomination. A list of paid financial members shall be made available by the Treasurer for the purpose of election. Members of the executive council shall be legal residents of United States.

Only active members who have resided continuously for a minimum of two years in the Capital District, immediately prior to the election date may contest for the office of the president.

Only active members who have demonstrated the willingness to serve the Association may contest for the position of the Vice President, the Secretary, Assistant Secretary, Treasurer, and Public Relations Officer.

Terms

The Executive Council shall be elected once every three years. Members of the Executive Council can be re-elected to serve for one additional three-year term. The President is limited to two consecutive terms. Presidents that have successfully severed two terms shall not be eligible to contest for or seek the office of the president in the first six years immediately following the end of their last term. Officers cannot hold the same office for more than two consecutive terms, but may seek other positions.

Succession

In the event the President is unable to discharge his/her duties, the office shall be assumed by the Vice President.

Vacancies

Vacancies occurring during the year in the offices of the President, Vice President, Assistant Secretary, Secretary, Treasurer, and Public Relations Officer shall be filled by special election of the Association. The election date shall be announced one month prior to the election.

Resignation

An officer may submit a written resignation, with a minimum of 30 days notice. An audit of the records with the concerned officer shall be made when a resignation notice is received by the Executive Council.

Resigning officers or officers voted out of office shall return all belongings of the Association, etc., upon resignation or leaving office.

Voting

(a) A quorum shall be achieved by two-thirds of the general membership. A quorum is required for the commencement of the election process.

Each member present on the election date shall be entitled to casting a single vote per position contested. No member shall be granted proxy voting rights.

The presiding officer (Chair of the Election Committee) shall not vote unless in the event of a tie; in such a situation he shall cast the tie breaking vote.

Inauguration

Inauguration of elected officers shall take place during the month of January and no later than the last Sunday in January.

ARTICLE VI - DUTIES OF OFFICERS

1. President.

The President shall be the chair-person and spokesperson for the Association. The President shall preside over all meetings, in his absence, the Vice President or a designee over all meetings. The President shall have the authority to call meetings. The President or the designee shall be one of the signatories to the bank account and shall present an annual budget or operating plan at the first regular general meeting when elected. The President shall present an annual report and, upon vacating office, shall present a final report on all activities that occurred while in office. This report shall be made available to the next administration. The President shall provide the Secretary with an agenda for every meeting.

2. Vice President

The Vice President, in the absence of the President, or at the request of the President shall assume all the functions of the President. The Vice President shall be an ex-officio member of all the committees. The Vice President shall be a signatory to the account and shall assume the position of President in the event the President is unable to complete his/her term of office.

3. Secretary

The secretary shall keep accurate minutes and attendance records of all meetings. The Secretary shall handle all correspondence on behalf of the Association. The Secretary shall be a signatory to the bank account. His/her filing system for the term of office shall be made available to the next administration upon taking office.

4. Assistant Secretary

The Assistant Secretary shall assist the Secretary or assume the position of Secretary, if needed. The Assistant Secretary shall receive performance orders from either the President or the Secretary and shall sit in on all the committee meetings, as required by the Executive Council.

5. Public Relations Officer

The Public Relations Officer shall be responsible for all publicity authorized by the Executive Council. The Public Relations Officer shall be responsible for the promotion of all functions and shall also oversee the management of the association website and electronic mail system.

6. Treasurer

The Treasurer shall have custody of all the Association's funds and securities, and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Association. The Treasurer shall receive all monies of the Association, deposit funds in the Association's bank account and upon proper authorization pay all bills and debt. The Treasurer shall render a financial report to the Executive Council as needed and shall present an annual report on the financial status of the Association at the end of year general meeting. The Treasurer shall make the financial books available for auditors each year. The Treasurer shall maintain a filing system to be made available to the next administration at the conclusion of his/her term of office. The Treasurer shall make monthly reports to the general membership and shall also be a signatory to the Association's bank account.

ARTICLE VII - MEETINGS

Attendance shall be required of all members at all the Association's general meetings

A quorum shall be achieved by one-half of the active members present

When a member is absent from a general meeting due to temporary illness or extenuating circumstances, such a member should notify any other member of the association.

Every member of the Association shall be permitted to attend all general meetings, regardless of dues payment status

Attendance shall be taken by the Secretary at all meetings and a file record shall be maintained.

A. October Special Event Meeting

The October Special Event shall take place in October, preferably the first Saturday in October as Nigeria's Independence Day is October 1st. The membership shall agree on the date and place of the October Special Event.

B. End of Year General Celebration

The End of Year General celebration shall take place in December. Members shall decide the date, usually in December, and place of the meeting.

C. Regular General Meeting

There shall be a minimum of one meeting every other month, except as otherwise directed by the Executive Council.

Each Regular General Meeting shall be held in the residence of a member of the Association based on a prior established schedule and shall start at 2:30P.M. However, in the event that a member can not host the general meeting at his/her residence, such a member may elect to host the meeting at a venue other than they residence.

D. Executive Council Meeting

The Executive Council shall meet at least 4 (four) times a year as stated in ARTICLE XII of the Constitution. Special meetings of the Executive Council may be called at the request of a majority of its members and/or at the discretion of the president.

Only members of the Executive Council are permitted to attend Executive Council meetings, except when invited by the President. Only members of the Executive shall vote on matters of executive concern.

An Executive Council member may be absent due to temporary illness or extenuating circumstances which can be justified to the President.

E. Advisory Council Meeting

The Advisory Council shall meet as necessary independently or in conjunction with the Executive Council. The chair-person shall notify all Advisory Council members about the date, time and place of such meeting.

Members of the Advisory Council may attend all meetings, except Executive Council meetings which require Executive permission.

F. Other Meeting(s)

Additional meetings (general or otherwise) may be called at any time by the President or by petition in writing signed by at least one-third active and paid members of the Association or by two-thirds of the Executive Council members.

ARTICLE VIII – AMENDMENTS

Amendments to the **By-Laws** shall be in accordance with the process set forth in ARTICLE XIII of the Constitution

ARTICLE IX - IMPEACHMENT

An officer of the Association can be impeached and expelled from office for violating any of the provisions of the Constitution and by-laws.

A two-thirds vote at a Regular General Meeting is necessary to establish an impeachment process which shall require the formation of a Judicial Committee.

The President shall nominate members to serve in the Judicial Committee which shall consist of one Advisory Council member, one Executive Council member, and three non-officers of the Association. All nominations shall be approved by the general membership. Where the impeachment is against the president, the chairman of the advisory committee shall nominate members to serve in the judiciary committee which shall consist of one Advisory Council member, one Executive Council member, and three non-officers of the Association.

In the Judiciary committee, a minimum of four out of five votes will be required to expel any officer, provided the impeachment request originated from a two-thirds majority at a Regular General Meeting. In the event that it is determined that fraud has been committed against the Association, only a minimum of three of the five votes shall be necessary to expel the said officer or member of the association. The association reserves its right to take necessary legal action in recovering stolen or misappropriated funds or property. In addition the association reserves its right of taking any legal action in redeeming its image.

Any resulting vacancy due to the expulsion of an officer shall be filled in accordance with the provisions of the Constitution and By-Laws

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OF THE
ASSOCIATION OF NIGERIANS IN THE CAPITAL DISTRICT OF THE STATE OF
NEW YORK**

Document History

Adopted by the general membership

Amended