

CONSTITUTION

COUNCIL OF BRONG-AHAFO ASSOCIATIONS OF
NORTH AMERICA (COBAANA)



PREAMBLE

1. In the name of the almighty God, we the Brong-Ahafo citizens of Ghana domiciled in North America, having thought both *ratione personae and ratione materiae* in respect of our rich culture and the quest to secure unity peace and prosperity,

IN SOLEMN DECLARATION do hereby in the spirit of friendship And solidarity affirm our hope in the formation of the Council of Brong-Ahafo Associations of North America, a framework of an association which shall secure for ourselves the blessings of prosperity and justice and the betterment of our motherland and specifically our citizens in the Brong-Ahafo Region.

AFTER CAREFUL DELIBERATIONS adopt and enact this constitution based on good faith and good conscience, to cater for, direct, and assist us, the member associations and our members. The Council of Brong-Ahafo Associations of North America is a not-for-profit, non-political, socio-economic, and cultural association.

1 As members, our overriding aims, goals, aspirations, and objectives are unity, peace, and prosperity for and among us as well as for our Motherland. Let us therefore rise and move in unity and with love so that in the days to come we may achieve our vision and unity of purpose.

2 Therefore, let every member association and its members dedicate and pledge to these objectives with this motto: **Yɛn Man Nti**

ARTICLE I Name

The name of the association shall be called Council of Brong-Ahafo Associations of North America and hereinafter referred to as (COBAANA).

ARTICLE II Delineation

The continental North America shall be the jurisdiction for COBAANA

ARTICLE III Definition

COBAANA shall have the following meaning as herein defined in this section.

For the purpose of this section, the term "COBAANA" is defined to mean consolidation, (amalgamation or integration) of associations of Brong-Ahafo citizens of Ghana domiciled in North America.

ARTICLE IV Aims and Objectives

The basic objectives of COBAANA shall include promoting, assisting, fostering, ensuring, and undertaking any economic, technical, educational, cultural, social, and welfare activities, projects, and programs that will constructively contribute to furthering, achieving, and enhancing the well-being, understanding, and the good name of all member associations, their members, the Brong-Ahafo Region and of our people wherever they may be. This shall include but not be limited to :

1. Assisting and identifying programs for the development of our region.
2. Fostering and maintaining strong, meaningful, viable, and cooperative links with governmental and non-governmental agencies in our region.
3. Seeking out and/or creating avenues and areas for investment and other economic opportunities for member associations.

4. Encouraging and facilitating recruitment of qualified persons for employment at both regional and national levels in Ghana.
5. Supporting and promoting fund raising activities.
6. Promoting the Brong-Ahafo culture in particular, and fostering a sense of Ghanaian and African values in general.

ARTICLE V MEMBERSHIP

Section i: Qualification: Membership in COBAANA shall be open to all Brong-Ahafo Associations throughout North America.

Section ii: Application Fee: Any Brong-Ahafo Association which shall apply for membership in COBAANA shall pay a non-refundable application fee of \$500. 00 (USA)

Section iii: Admission: Admission of an association into COBAANA shall be by a simple majority vote at a properly convened general meeting of the Council.

ARTICLE VI Organizational Structure

A permanent Executive Secretariat shall be chosen from the council of representatives every four years. The Executive Secretariat shall coordinate with the hosting association on the activities of the secretariat. COBAANA shall comprise of:

- 1.The Council of Representatives (3 from each member associations)
- 2.The Executive Committee.
- 3.Office of the Ombudsman.
- 4 Council of Elders
- 5.Ad Hoc Committees.

ARTICLE VII

Section 1a. ELECTION Election of Executive Officers shall be held every four (4) years

Section 1b Election shall be by secret ballot at a properly-convened Annual Meeting of the Council. Any member of the Council of Representatives is eligible to run for office

Section 2a A replacement election shall be held if an Officer is unable to serve out his or her full term. The council of Representatives shall decide on the date and time to constitute an electoral college to elect one of their members to replace the office. In such a situation the newly elected Officer shall immediately assume office, and serve the remainder of the original four year term of the office being replaced.

Section 2b. Any elected officer shall be eligible for re-election to the same or any other office for as many times as he or she shall deem fit, capable and qualified by the Council; except that the Chairman, Secretary and Treasurer shall not hold their respective

offices for more than two consecutive terms of two years each. They can, however become eligible for election after an intervening four period to the same office.

Section 2c. Any or all Executive Officers may be removed from office (at any time) by a two-third majority vote of the representatives for misconduct, mismanagement, inefficiency or failure to abide by the constitution. Such officer shall have the right to all due process

Section 3a. VOTING POWERS

Each Executive Officer shall have the same degree of voting power at all times and in all cases except casting the final tie-breaking votes.

Section 4a. DUAL OFFICERS

An officer of a member organization may be both a representative of that member-organization on the Council and an Executive Officer of the Council. However if such a person should be elected as an Executive Officer of the Council, it shall be the responsibility only of the member-organization to decide whether or not such a member shall relinquish or retain his or her office in only the member organization In the same token, if an Executive officer loses his/her position in a local member organization, he/she cannot be replaced until his term of office as COBAANA executive runs out.

Election II.

- (i) A replacement election shall be held if an Officer is unable to serve out his or her four year term. In such a situation, the newly elected Officer shall immediately assume office and serve the remainder of the original four year term of the Office being replaced.

ARTICLE VIII Powers of the Organization

COBAANA shall have the power to act in the following capacity as permitted under this article:

Section I To make by-laws and regulations for the association.

Section ii To prepare annual budgets for the association.

Section iii To engage in any activities, projects, programs or undertakings deemed fit by the

Council of Representatives to be in conformity with the association's aims and objectives

Such objectives and all other activities that are suitable, proper and in the best interest of our member associations and our motherland.

Section iv To exercise all powers not consistent with this article which maybe necessary, convenient or expedient for the accomplishment of its purpose.

ARTICLE IX The Governing Body

Section i: The General Council: The governing body of COBAANA shall be the Council of Representatives

Section ii: Representation or Composition: Each member association shall be represented by three members.

Section iii Duration of Representation:

A Representative shall serve a two-year term and shall be eligible for re-election for as many times as deemed necessary by the member association.

Section iv: Election and Removal of Representatives: The representatives for each member association shall be elected and shall be removed only by that member association (except as stated under Powers and the responsibilities of the General Council in this constitution under Article IX, Section v.

ARTICLE X Powers and Responsibilities

Section I The Council of Representatives shall be the supreme legislative body of COBAANA.

Section ii The Council of Representatives shall be the only official links between COBAANA and respective member associations.

Section iii The Representatives, by assuming their roles of responsibility and trust, must so conduct themselves as to be deserving of the honor and respect that their positions confer on them.

Section iv The collective actions of the Representatives shall be binding on member associations of COBAANA.

Section v Any gross negligent and reckless abuse of the power and authority by an Executive Council member or a Representative shall be grounds for expulsion from the council after due consultation with member associations.

Section vi Decisions of the Council of Representatives shall supersede decisions of committees where necessary.

ARTICLE XI Functions of the Council of Representatives

The functions of the Council of Representatives shall include but limited to the following:

Section I Formulate policies approve programs, projects and all appointments of the association

Section ii Nominate and elect officers as provided for in the constitution.

Section iii Approve annual budgets and disbursement of funds approved by the council.

Section iv: Appoint an independent Auditor.

Section v: Approve levies recommended by the Executive Committee for all approved projects.

Section vi: Establish and appoint Permanent and Ad Hoc Committees.

Section vii: Council chairperson shall be the official spokesperson of COBAANA.

ARTICLE XII The Executive Committee

Section i: The Executive Officers of COBAANA shall be elected by and from among the membership of the Council of Representatives. Any Representative who shall be elected as an officer of COBAANA shall retain the position on the Council of Representative, and shall perform the dual functions of a Representative of a member association and an officer of COBAANA. The COBAANA Secretariat shall remain at a chosen location until the Council of Representatives deem it necessary to choose a new location. The actions of the Executive Officers are subject to annual review by the Office of the Ombudsman which shall submit a report to the Council of Representatives.

Section ii: The Composition of the Executive Officers shall be:

1. The Chairman
- 2 Vice Chairman
- 3 General Secretary
- 4 Assist General Secretary

- 5 Public Relations Officer
- 6 Assit Public Relations Officer

- 7 Treasurer
8. The Financial Secretary

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Section iii:

Functions of the Executive Committee

1. The Executive Committee shall manage the affairs of the Association.

2. The Executive Committee shall consult with the council chairperson to select a venue for and convene meetings general and emergency as provided for, in the constitution.

Such meeting notices shall be sent out and received, at least, thirty (30) days prior to the date of the meeting; except in an emergency.

The Executive Committee shall initiate and supervise all planned and approved programs, projects, and activities.

1.The Executive Committee shall submit detailed annual budgets, proposals and activities to the General Council for approval

2.The Executive Committee shall send annual and semi-annual financial written reports to member associations.

3.The Executive Committee shall recommend appointments of committees to the General Council for approval.

ARTICLE XIII Duties and Functions of the Executive Officers

Section i: **The Chairman** shall be the Chief Executive Officer and Administrator of the organization.

The Chairman shall preside over all Executive Committee meetings.

The Chairman shall cast a deciding vote whenever necessary.

The Chairman, in conjunction with the General Secretary, shall develop agenda, call and give notices of all General Council meetings.

The Chairman in consultation with the Executive Council shall have the power to call for Emergency general meeting.

Section ii: The **Vice Chairman** shall execute all duties of the Chairman should he or she, for whatever reasons, is unable and/or is incapable of doing so.

The Vice Chairman shall also execute such other functions as shall be delegated to him/her by the Chairman, the Executive Committee, or the Council of Representatives from time to time.

Should the office of Chairman become vacant by death, resignation, or removal, the Vice Chairman shall immediately assume the office of Chairman and shall serve for the remaining term after which he/she may stand for election.

Section IV: The **General Secretary** shall be responsible for all official correspondence, and shall conduct all such duties as may be entrusted to him under the direction of the General Council.

The General Secretary shall give proper and timely notices of all meetings - General, Executive, and Emergency; and shall include agenda for each meeting.

The General Secretary shall keep all member organizations informed of developments.

The General Secretary shall attend all meetings and shall be responsible for recording the minutes at each meeting.

The General Secretary shall record the names of all parties to every dispute brought before the Council of Brong-Ahafo Associations of North America for its decision and the minutes of the proceedings in all such cases.

Minutes of all meetings shall be authenticated by the signature of the Chairman after acceptance.

Section IV: The Assistant General Secretary **Public Relations Officer** shall execute all the duties of the General Secretary should he or she, for whatever reasons, is unable and/or incapable of doing so.

He/she shall also execute such other functions as shall be delegated to him/her by the General Secretary, the Executive Committee, or the Council of representatives from time to time.

Should the Office of General Secretary become vacant by death, resignation, or removal from office, the Public elation Officer shall immediately assume the office of the General Secretary and shall serve the remaining term after which he/she may stand for election.

Section V The Public Relations Officer

The publicity Secretary shall be the primary officer in the coordination of all official functions of COBAANA.

This officer shall make recommendations to the council regarding venues, the cost of such venues where the council may hold its events The Public Relations Officer shall ensure that all Council events are well-publicized through flyers, advertisements (print and radio) etc

Section VI The Assistant Public Relations Officer

The Assistant Public Relations Officer shall assist the Public Relations Officer in the efficient discharge of the duties under Public Relations Officer.

The Assistant Public Relations Officer shall act as Public Relations Officer in the absence of that officer

The Assistant Public Relations Officer shall also carry out such other duties as may be assigned him/her by the Public Relations Officer, the Chairman and or the Executive Committee

Section vi: The **Treasurer** shall be the custodian of all assets and financial records of the association.

He/she shall collect all monies on behalf of the association and shall deposit such monies in a financial institution approved by the General Council.

He/she shall render proper accounts of the association's finances at all General Council meetings and upon demand by the Council.

The Treasurer shall prepare proper financial statements and shall keep proper accounting books and records for auditing.

Section VII: The **Financial Secretary** shall be the financial advisor on all financial matters to the general council. In such capacity he/she shall be responsible for the following:

1..Shall prepare financial statements and shall be the keeper of all general books of accounts. These shall consist of the following:

2. Books on the assets of the organization.

3.Books on the liabilities and equity of the association.

4. shall render proper accounting books and records for auditing.

5. Shall submit yearly annual budgets on behalf of the Executive Committee to the General Council.

6. Shall give advice to the General Council on the most equitable use and investment of the association's funds.

7. Shall prepare and file all financial reports as may be required by law.

8. shall advice the council on all economic ventures to be undertaken by the council.

ARTICLE XIV SIGNATORIES TO COBAANA'S ACCOUNT All checks to be drawn on COBAANA's account shall be signed by any two of the following officers:

1. The Chairman

2. The General Secretary

3. The Treasurer

BANKING: A banking account shall be opened in the name of COBAANA in the city where the Permanent Secretariat is located. The banking institution chosen, should be one which is represented in each of the areas where a local Chapter exists. Several affiliated deposit accounts are to be opened in each of the states with a local chapter.

ARTICLE XV RESPONSIBILITIES OF LOCAL CHAPTERS

Section i: All local chapters shall nominate three representatives to the COBAANA council and they shall be qualified to stand for election to fill positions as specified under Article XII above.

ii Local Chapter representatives elected into COBAANA Executive positions shall serve their full term of office as COBAANA Executives and shall not be withdrawn by their local Chapters except in case of misconduct which is reviewed and approved by COBAANA disciplinary committee.

ARTICLE XVI MEETINGS AND QUORUM

There shall be General and Emergency Council of Representative meetings.

Section i: General Council of Representative Meetings:

A simple majority of the total members of the representatives of COBAANA shall form a quorum for general meetings of COBAANA. Any properly convened meeting of Representatives shall constitute a council of Representative meeting.

Any Council of Representative meeting at which two-thirds (2/3) majority of the member associations are present and represented shall form a quorum.

Any decisions made at Council of Representative meetings at which quorum are formed shall be binding.

There shall be, at least, one General Council of Representatives meeting each year.

Section iii: Emergency Council of Representatives Meetings:

A majority of the Council of Representatives may request an Emergency meeting.

Any such meeting shall deal only with the issue for which it was called.

The Chairman and the General Secretary or the Public Relations Officer, together with at least one-half the Council of Representatives membership must be present for quorum to be formed.

ARTICLE XVII FINANCE AND INVESTMENT

Section i: Admission or Re-admission Fee:

Every qualified association shall be required to pay a one-time, non-refundable application fee at the time of application for admission or readmission to COBAANA. The fee shall be determined by the Council of Representatives at the time of each application.

Section ii: Annual Dues:

Each member association shall pay annual dues of \$350.00 (USA) to COBAANA.

Section iii: Fund Raising:

COBAANA shall organize annual fund raising events. Each member association shall fully support and participate in all such activities.

ARTICLE XIII: SUPPORT : Membership in COBAANA shall have its support. The council of representatives shall structure and define a benefit package to be categorized as follows;

- i. Social
- ii. Educational
- iii. Cultural
- iv. Economic

ARTICLE IXX COMMITTEES

Section i: The Council of Representatives, by a majority decision at a general or an emergency meeting, shall appoint any committees as required.

Section ii: Such committees shall be charged with specified responsibilities required by COBAANA.

Section iii: Each appointed committee shall have a chairperson and a secretary elected from its membership and shall be responsible to COBAANA.

ARTICLE XX

COUNCIL OF ELDERS

A five member council of Elders shall be appointed by the recommendation of the Executive Committee and deemed as duly appointed upon the approval of the General Assembly. They shall offer advice to COBAANA on all matters relating to the growth and vitality of COBAANA. They may attend all COBAANA Representative/Executive meetings but cannot have voting powers.

ARTICLE XV

CONVENTION COMMITTEE PRESIDENT

Shall be appointed by the executive committee for a period of one year. The position of the President shall follow the selection of host chapter of COBAANA Convention. The President/Chairperson of the host chapter shall be appointed the President of COBAANA for a period of one year, The Executive Committee can however nominate any person for such a position if deem fit.

THE CONVENTION COMMITTEE PRESIDENT

- a. Shall present the budget, planning and implementation of COBAANA convention of the host city.
- b. He/She shall be responsible for leading the implementation of all communiqué taken at our prior year convention.
- c. He/She shall be responsible for COBAANA fundraising of the Convention year and present Financial Report to COBAANA

YOUTH COORDINATOR:

- a. Shall design, organize and coordinate the activities of the youth in consultation with the Executive Council

b. Shall perform such duties as may be assigned by the Executive council

ARTICLE XVII OFFICE OF THE OMBUDSMAN

(1) THE OMBUDSMAN An Ombudsman shall be appointed by 2/3 of the council of representatives.

Section i: He/she shall not be independent and may only be removed from office if there is a prima facie evident showing that his/her actions will bring COBAANA into disrepute.

Section ii: He/she shall be the legal officer of COBAANA but shall also act in an advisory capacity.

Section iii: The Ombudsman shall serve for a period of two years at a time and may be re-appointed as many times as necessary.

(2) FUNCTIONS OF THE OMBUDSMAN

The Ombudsman shall investigate any actions taken or omitted in respect of or on behalf of;

Section i: any member association;

Section ii; any individual in the various associations;

Section iii; any committees of COBAANA

Section iv; any matter relating to the expulsion or suspension of a member association;

Section v; Any matter relating to chieftaincy;

Section vi; Any action taken by the COBAANA Chairman and the executive Council; and

Section vii; Any mismanagement by the treasurer.

(3) The Ombudsman shall not investigate a matter being considered by

Section i: the Chairman

Section ii: The executive council

Section iii; any matter adjudged already *sub judice*, e.g.

Section iv: A matter which clearly falls within the confines of the powers of the President.

PREROGATIVE OF MERCY

An internal matter of a member association already being considered subject to the provisions of the constitution, the Executive Council and the Council of representatives shall after the promulgation of the constitution;

Section i: Specify through admonitions matters which shall be investigated by the ombudsman;

Section ii: Specify a direct link between various associations and the ombudsman;

Section iii: Specify a simple procedure through which complaints can be lodged, e.g. due

process.

Section iv: Specify the procedure for the examination of witnesses and the recommendations of the appropriate measures if need be.

(4) QUALIFICATIONS OF THE OMBUDSMAN

Section i: Any member of COBAANA shall be qualified for an appointment as ombudsman.

Section ii: Such a person shall be a member of one of the duly recognized representative associations of COBAANA.

Section iii: Whenever the ombudsman is removed from office, resigns or dies, the president shall immediately appoint a person qualified to perform the functions of the office of ombudsman.

Section iv: Such an action must be taken in accordance with the advice of the executive Council

Section v. The procedure for the removal of the ombudsman shall be the same as any officer of COBAANA.

Section vi: Subject to the provisions of this constitution, the Ombudsman Shall be granted the power to regulate as to how complaints are to be made before him/her and the necessary steps to take to maintain the harmony within COBAANA.

ARTICLE XVIII CHIEFTAINCY

The main role of the chiefs and queens shall be honorary. However, they shall assist the Ombudsman in the discharge of his/her duties and represent COBAANA in cultural matters. COBAANA shall recognize all active and ruling Chiefs and Queens whose reign of domain is in North America.

Reigning Chiefs and Queens of member associations shall be accorded their dignitary or honorary status at all functions at which they are present.

The stool or official name of each chief and queen shall be sent to the General Council through the General Secretary by the member association.

All visiting chiefs and queens from the Brong-Ahafo Region or resident chiefs and queens whose subjects or domain of reign is outside North America coming to any of our functions shall be given duly recognized.

COBAANA shall not create any tradition title or authority in the name of this organization and shall not give recognition to anyone who purports to assume such a position.

ARTICLE XIX EXPULSION OR SUSPENSION OF MEMBER ASSOCIATIONS

Any member association shall be suspended or expelled from COBAANA only after a careful investigation and evaluation by the Council of Representatives. The grounds for such suspension

Section i: Any member The grounds for such suspension or expulsion shall include (but not be limited to):

- a. Persistent refusal by the member association to abide by the constitutional provisions of COBAANA.
- b. Persistent refusal and inability of the member association to provide for or to meet its constitutional obligations to its members.
- c. Proven actions deemed to be detrimental to the good name and the reputation of COBAANA.
- d. A member association shall only be expelled with a two-thirds (2/3) majority vote of only the Representatives of the other member associations on the Council of Representatives at a general meeting of the Council of Representatives.
- e. The Representatives of the member association whose expulsion is being voted on shall not take part in such a vote. Such Representatives may be present at such a meeting only as observers or to present a case for non-expulsion to defend the position of their member association.

Section ii Liabilities of an Expelled Member Association.

An expelled member association shall not be entitled to any refunds or benefits for any past contributions to the association or assets of COBAANA. Such member association shall, however, continue to be liable for and shall be called upon to pay off any liabilities owed to COBAANA or owed to others through COBAANA during the period the expelled member association was a member of COBAANA.

ARTICLE XX REINSTATEMENT OF AN EXPELLED MEMBER-ORGANIZATION

An expelled member-organization may apply for re-admission only after it has paid off any and all liabilities it owes to the council. Upon its reinstatement, all rights and privileges of membership shall be restored to that member-organization, effective the date of its reinstatement.

ARTICLE XIX VOLUNTARY WITHDRAWALS

Section i: Any member association is free to withdraw its membership from the Council. The

withdrawing member shall give at least one year notice to the Council of Representatives through the General Secretary.

Section ii: The withdrawing member shall not be entitled to any refunds or benefits for any past contributions to COBAANA.

Section iii: The withdrawing member shall, however, continue to be liable for and shall be called upon to pay off any liabilities owed to COBAANA during the period the withdrawing member association was a member of COBAANA.

ARTICLE XX: DISSOLUTION OF THE COUNCIL OF BRONG-AHAFO ASSOCIATIONS OF NORTH AMERICA (COBAANA)

Section i: Unanimous Consent

COBAANA shall be dissolved only upon the consent of all member associations. Any request for such dissolution shall be made only by a member association in good standing. A minimum of six months notice shall be given to all member associations by the chairperson before such issue is voted upon.

Section ii Distribution of Assets Upon Dissolution.

Upon dissolution, any funds remaining in the coffers of COBAANA and after all liabilities have been satisfied, shall be distributed to one or more charitable organizations, Health and Educational institutions in the Brong-Ahafo Region of Ghana.

ARTICLE XXI: INDEMNIFICATION

Section I COBAANA shall indemnify, to the fullest extent possible, for any expenses incurred by any officer or authorized agent, past or present, in any actions, suits, or proceedings, whether civil, criminal, administrative or investigative, arising from acts of such an officer or agent undertaken in good faith and for the benefit of the organization during the officer's term of office or the agent's period of authority and within the scope of his or her duties and responsibilities.

Section ii No officer or agent of the association shall be indemnified with respect to any legal actions arising from any acts undertaken with negligence, or gross misconduct or for personal gain.

ARTICLE XXII: CONSTITUTIONAL AMENDMENT AND ADDENDA

Any parts of this constitution shall be amended or added to by two-thirds majority vote of the Council of Representatives. Any member association in good standing may request, in writing to the Chairperson, any amendments or additions to this constitutions. Such a request shall be

communicated to all member associations, at least, two months before being voted upon by the Council of Representatives. The quorum for such a meeting shall be the quorum of all general meetings of the Council of Representatives as stated in Article XIII, section i.

ARTICLE XXIV: SIGNATORIES

This constitution of COBAANA is promulgated, adopted and becomes

Effective on this.....day of the month

.....in the year of our Lord.....

This constitution of COBAANA is promulgated and adopted by the following Representatives of

the **Founding members**: REPRESENTATIVES / SIGNATURES

Updated September 1st 2012 in Columbus Ohio

1. Calgary...../.....

*2. Chicago...../.....

*3. Columbus...../.....

*4. Denver...../.....

5. New York...../.....

*6. Toronto...../.....

*7. Washington DC...../.....

*8. Worcester...../.....

*Founding members