## CONSTITUTION

## OF

**TANZANIA CONSERVATION AND LOCAL HUNTERS**

 **ASSOCIATION**

**(TACHA)**

**DRAWN GRATIS BY:**

AMINI NDAMA MZIRAY,

MEMBER,

P.O. Box 75788

DAR-Es-SALAAM.

TABLE OF CONTENTS

PART 1: PRELIMINARY

ARTICLE 1: Short Title and commencement

ARTICLE 2: Interpretation

ARTICLE 3: Preamble

PART 11: CONSTITUTION, DENOMINATION, REGISTRATION, HEAD OFFICE,

 AREA OF OPERATION.

ARTICLE 4: Name of the Association

ARTICLE 5: Registration

ARTICLE 6: Head office

ARTICLE 7: Area of operation

ARTICLE 8: Core values

PART 111: VISION, MISSION, OBJECTIVES, PROTECTION OF THE

 ASSOCIATION

ARTICLE 9: Vision statement

ARTICLE 10: Mission statement

ARTICLE 11: Objectives

ARTICLE 12: Application of Penal code and contravening by - laws

PART 1V: MEMBERSHIP AND TYPES OF MEMBERS

ARTICLE 13: Membership

ARTICLE 14: Types of members

ARTICLE 15: Register of members

ARTICLE 16: Rights of members

ARTICLE 17: Cessation of membership

ARTICLE 18: Liabilities/obligations of members

PART V: ASOCIATIONAL STRUCTURE AND OFFICE BEARER

ARTICLE 19: Chairperson

ARTICLE 20: Executive Secretary

ARTICLE 21: Treasurer

PART VI: ELECTION AND TERM OF LEADERSHIP

ARTICLE 22: Chairman

ARTICLE 23: Secretary

ARTICLE 24: Treasurer

ARTICLE 25: Modalities of renewal

ARTICLE 26: Board of Directors

ARTICLE 27: Functions and duties of Board of Directors

PART VII: GENERAL MEETING (ORDINARY AND GENERAL)

ARTICLE 28: Composition of General meeting

ARTICLE 29: Powers/functions of the General meeting

ARTICLE 30: Delegation of power

ARTICLE 31: Annual General meeting

ARTICLE 32: Special General meeting

PART VIII: FINANCIAL MANAGEMENT, SOURCES OF FUNDS AND USES OF

 FUNDS

ARTICLE 33: Financial year

ARTICLE 34: Sources of funds

ARTICLE 35: Uses of funds

ARTICLE 36: Bank Account

ARTICLE 37: Annual report

ARTICLE 38: Audit and control

PART IX: POWERS TO MAKE RULES AND REGULATIONS

ARTICLE 39: Rules and Regulations

PART X: CONSTITUTIONAL AMENDMENTS, DISSOLUTION AND COMMON

 SEAL

ARTICLE 40: Amendments to Constitution

ARTICLE 41: Dissolution

ARTICLE 42: Common seal

PART XI: MISCELLANEOUS DISPOSITION

ARTICLE 43: Conflict Resolution

PART XII: MEMBERS INCLINATION

ARTICLE 44: Agreement

PART XII: ADOPTION OF CONSTITUTION

ARTICLE 45: Consensus of Members

**PART I: PRELIMINARY**

**ARTICLE 1: Short Title and Commencement**

This Constitution shall be cited as the Tanzania Conservation and Local Hunters Association of 2016 herein after referred to as “TACHA” and shall come into operation after being passed by the Members at the General meeting.

**ARTICLE 2: Interpretation**

For purposes of this constitution and unless directed otherwise:-

“The Association” shall mean “Tanzania Conservation and Local Hunters Association”.

“The Board of Directors” shall mean the board of directors of “Tanzania Conservation and Local Hunters Association”.

“The Secretariat” shall mean the secretariat of “Tanzania Conservation and Local Hunters Association”.

“General Meeting/Ordinary meeting” shall mean the General Meeting/Ordinary meeting of “Tanzania Conservation and Local Hunters Association”.

The Constitution shall mean the “Tanzania Conservation and Local Hunters Association of 2016”.

**ARTICLE 3: Preamble**

Tanzanian Conservation and Local Hunters and other wildlife Conservation stakeholders recognize the historical, visual, educational and entertaining values of our Nations Natural resources and the unequivocal demand for their protection in order to ensure that these assets are always accessible to and enjoyed by all citizens of Tanzania, members of the public at large and tourists. As a corollary to the aforesaid, the Local Hunters and other wildlife conservation stakeholders would like to ensure further that the National Game Reserves and other related areas specified for the purpose of conserving Wild Animals are conserved for future generations. In view of the aforesaid and the need to be actively engaged in the wildlife conservation efforts, the Tanzania Local Hunters and other wildlife conservation stakeholders have decided to form a voluntary Association whose name, aims and objectives are set out as below:-

**PART II: CONSTITUTION, DENOMINATION, REGISTRATION, HEAD OFFICE AND AREA OF OPERATION**

**ARTICLE 4: Name of the Association**

The name of the voluntary Association shall be “Tanzania Conservation and Local Hunters Association” hereinafter referred to as (TACHA) the “Association”.

**ARTICLE 5: Registration**

The Association shall be registered in accordance to the NGO’S Act. NO. 24 of 2002 as amended in 2005.

**ARTICLE 6: Head Office**

The head office shall be situated at Regency Park Hotel, Mwai Kibaki Road Mikocheni, P. O. Box 75788 Dar es Salaam.

**ARTICLE 7: Area of Operation**

The area of operation of the Association shall be within Tanzania Mainland.

**ARTICLE 8: Core values**

The core values of the Asociation shall be honesty, ethical, transparency and law abiding.

**PART III: VISION, MISSION, OBJECTIVES, PROTECTION OF THE ASSOCIATION**

**ARTICLE 9: Vision Statement**

To be a recognized, reliable and true partner in wild life conservation and its eco system presevertion.

**ARTICLE 10: Mission statement**

The Association shall use all endeavors and available resources (mobilized and granted) to ensure continued wild life conservation and its eco system preservation for the benefit of current and future generation.

**ARTICLE 11: Objectives**

i) To ensure continued existence of National Wildlife Reserves, Wild Life Management and such areas as open Hunters blocks as well as their security and integrity for the benefit and enjoyment of all Citizens of Tanzania of current and future generation.

ii) To carry out research and to compile relevant records and documentation of geological, archaeological, historical, cultural and heritage assets in the National Reserves which will assist and inform national and local government in matters regarding biodiversity, conservation, protection, sustainability, management, maintenance, development, improvement and utilization of the National Reserves and the attendant environment.

iii) To educate and inform the community as well as the public at large on matters of significance relating to the National Wildlife Reserves.

 iv) To promote and encourage sustainable utilization of the National Wildlife reserves by the local communities, the public at large, tourists and other users, for recreational, leisure and educational purposes; and to advocate against poaching unethical Hunters and inappropriate development in and around the National Wild Life reserves.

**ARTICLE 12: APPLICATION OF THE PENAL CODE AND CONTRAVENING BY - LAWS**

The Association shall be regulated by the governing laws of the country, and take into cognizance the applicability of the Penal code with a view to avoiding contravention of the laws, when executing its functions.

**PART IV:** **MEMBERSHIP AND TYPES OF MEMBERS**

**ARTICLE 13: Membership**

Membership shall be open to Tanzanian individualss who have attained the majority age of 18 years and above who are interested in helping the Asociation to achieve its aim and willing to abide by the Constitution.

**ARTICLE 14: Types of Members**

Membership of the Association shall be categorized as follows:-

1. **Key Founder Members:**

Are those members who initiated the formation of the Association

1. **Honorary Members**

Are those members whose membership is a result of his/her remarkable contribution towards the sustainability of the Association.

1. **Ordinary Members:**

Are those members whose membership is a result of filling for the application forms of the Association.

**ARTICLE 15. REGISTER OF MEMBERS**

The Association shall maintain a register of members which shall include the names and personal particulars as prescribed by the executive committee.

**ARTICLE 16: RIGHTS OF MEMBERS**

1. To participate in the Association activities
2. To elect and be elected as a leader of an Association as per the set rules save for honorary members
3. To request, challenge and obtain information in usage of funds
4. To join (after all requirements are met) and withdraw his/her membership (if one need to do so) by giving a written information to the executive Secretary of the Association four (4) weeks prior to termination.

**ARTICLE 17: Cessation of Members**

1. Decides to leave the Association
2. Is disqualified by a general meeting for his/her misbehavior
3. Do not pay for a prescribed fees (if does not pay continuously for three (3) months)
4. Death
5. Failure to attend three (3) meetings without reasonable cause/notice

**ARTICLE 18: Liabilities/Obligation of Members**

1. To pay for fees and other dues timely to the Association as per the Constitution
2. To advocate and effectively supervise for the activities of the Association at any time
3. To obey leadership, rules and regulations as per the Association Constitution
4. To make sure that the Association is consistently stable and fulfill its core value duties
5. To devote his/her resource and time to serve for the benefit of the Association
6. To respect and abide by the Constitution of the Association
7. To willingly volunteer in the Association activities as will be declared by the Executive Secretary

**PART V: ORGANIZATION STRUCTURE AND OFFICE BEARERS**

**ARTICLE 19:** There is hereby established the office of the Chairperson of the Association whose task shall be:-

1. The head of an Association
2. The Association spokesman
3. Legible in ensuring formal write-ups are written by the Association to Donors
4. The supervisor of the office bearers and represent the Association in legal matters pertaining to leadership

**ARTICLE 20: EXECUTIVE SECRETARY**

There is hereby established the office of the Executive Secretary who shall be the principal officer whose task will be as follows:-

1. Shall be the Chief Executive Officer of the Association
2. Shall plan and convene meetings by giving Notice of meetings to members
3. Shall take records of the meetings and maintain a minute book
4. Shall collect and disseminate information pertaining to the activities of the existence of the Association
5. Shall write projects and work together with the coordinator in preparations of projects write-ups and engage in activities of fund raising
6. Shall ensure that all members are strictly abiding to the Constitution
7. Shall propose to the Board of Directors and General meeting on the suspension and enrolment of members

**ARTICLE 21: TREASURER**

There is hereby established the office of the Treasurer whose task will be as follows:-

1. Shall be responsible for all issues concerning financial status of the Association
2. Shall receive membership contributions/fees, monthly fees and any other financial contributions on behalf of the Association and will be required to deposit any amount of monies received at the Association bank account within 24 hours from receipt of the monies so received; failure to which he/she must mandatorily inform the General Meeting of such failure, and the referred meeting will determine the fate of the Treasurer as deemed appropriate under the circumstances
3. Shall account for all funds received and make payments in accordance to the financial regulations established by the General meeting
4. Shall submit all accounts to the annual General meeting
5. Shall disclose any issue pertaining to finances (received, spent and accounted for)
6. Shall prepare and report issues pertaining to usage and collection of funds, including way forward towards generation of funds

**PART VI: ELECTION AND TERM OF LEADERSHIP**

**ARTICLE 22: Chairperson**

The Chairperson shall be elected by the General meeting in accordance to the provisions of this Constitution, by the rules set he/she shall serve for a period of four (4) years.

**ARTICLE 23: Executive Secretary**

The Executive Secretary shall be elected by the General meeting in accordance to the provisions of this Constitution, by the rules set he/she shall serve for a period of four (4) years.

**ARTICLE 24: Treasurer**

The Treasurer shall be elected by the General meeting in accordance to the provisions of this Constitution, by the rules set he/she shall serve for a period of four (4) years.

**ARTICLE 25: Modalities of Renewal**

The office bearers shall hold their offices for a term of four (4) years and may be re-elected for a further term of another four (4) years in the same positions.

**ARTICLE 26: Board of Directors**

1. There shall be a Board of Directors of the Association as the advisory organ; to be constituted by not less than five (5) members including Chairperson as its Secretary and other members appointed at the General Meeting.
2. The Board of Directors shall have its meetings at least four (4) times within the financial year.
3. The quorum of the board meeting shall be ½ of the board members
4. The tenure of the board members shall be four (4) years in which they may be re-appointed for a further term of another four (4) years

**ARTICLE 27: Functions and duties of Board of Directors:**

1. Shall ensure that the objectives set are running smoothly
2. Shall ensure that the Constitution is appropriately adhered to
3. Shall have power to deliberate on the expenditures of the Association funds
4. Shall have power to advise the General meeting on the way forward towards achievement of the Association’s objectives, policy, rules and regulations.

**PART VII: GENERAL MEETING (ORDINARY AND GENERAL)**

**ARTICLE 28: Composition of General Meeting**

1. There shall be General meetings of the Asociation. The dates and venues for these Meetings shall be determined by the office bearers and communicated to the members at least 21 days before the meeting
2. The general meeting shall be composed by all members of the Asociation

**ARTICLE 29: Powers/Functions of the General meeting**

1. Shall have power to make and amend the Constitution of the Association
2. Shall have power to vote for and elect leaders of the Association
3. Shall have power to suggest, approve and disapprove names of the new entrant(s)
4. Shall check and discuss the trend of every member (if found to have detrimental behaviors) such as laziness, not transparent, does not show any positive contribution; then the Executive secretary under this unit will have power to dismiss him/her

**ARTICLE 30: Delegation of Powers**

Powers of the General Meeting may be delegated to the Board of Directors after its approval in a subsequent General Meeting

**ARTICLE 31: Annual General Meeting**

1. There shall be an Annual General meeting once a year
2. The agenda for the annual General meeting shall be prepared and dispatched to all members not less than 20 days before the scheduled date of the meeting
3. The quoram in the Annual General meeting shall be 2/3 of all members required to attend the meeting

**ARTICLE 32: Special General Meeting**

Special general meetings shall be called by the Chairperson when there is any matter in urgency that require an immediate attention or at the request of the two thirds of the Association’s members and the notification to the members will be made within seven (7) days prior to the actual date of the meeting and the quorum must be of ½ of all members

**PART VIII: FINANCIAL MANAGEMENT,SOURCES OF FUNDS AND USES OF FUNDS**

**ARTICLE 33: Financial Year**

The financial year of the Asociation shall start from 1st January to 31st December each year

**ARTICLE 34: Source of Funds**

The Asociation shall derive its funds from Membership fees,monthly subscriptions, fund rising activities,Grants and donations.

**ARTICLE 35: Use of Funds**

The Asociation being prohibited from distributing any of its funds to any person and being required to utilize its funds solely for the object for which it was established.

**ARTICLE 36: Bank Account**

All monies received shall be deposited in the Asociations bank account.

1. There shall be bank signatories, who are Chairperson, Executive secretary and the Treasurer. Two signatures at a time shall be adequate to authorise withdrawals of monies from the Asociation’s bank account. Further modalities of operating the bank account shall be decided by management and approved by the board of directors.

**ARTICLE 37: Annual Report**

The Asociation shall present a financial report, Audited Annual accounts and Annual report to members at the Annual general meeting for approval and present to the Government as required by law.

**ARTICLE 38: Audit and Control**

The books of accounts of the Asociation shall be audited by qualified and registeredexternal auditors so as to ascertain the correctness and adequacy of the Asociation and to also ascertain adherance to financial regulations and accountability.

**PART IX: POWERS TO MAKE RULES AND REGULATIONS**

**ARTICLE 39: Rules and Regulations**

The Board of directors may from time to time propose rules and regulations to the General Meeting whose ratification shall require two thirds (2/3) majority of the members present and voting.

**PART X: CONSTITUTIONAL AMENDMENTS, DISSOLUTION AND COMMON SEAL**

 **ARTICLE 40: AMENDMENTS TO THE CONSTITUTION**

The Constitution may be amended by a two thirds (2/3) majority of members present at an Annual General meeting or Special General meeting provided that notice of the amendment(s) be given to all members not less than twenty one (21) days prior to the meeting.

**ARTICLE 41: DISSOLUTION OF THE ASSOCIATION**

The Association may be dissolved by a two thirds (2/3) majority of the voting members present at an Annual General meeting or Special General meeting, provided that notice of the meeting clearly states that the matter of dissolution of the Association and disposal of its assets are to be considered. Any remaining assets shall be transferred to another Association with similar objects.

**ARTICLE 42: COMMON SEAL AND EMBLEM OF THE ASOCIATION**

The Common Seal shall be affixed only to documents ascertained to be for the benefit of the Association. The Seal shall be in the name of Tanzania Conservations and Local Hunters Association; and shall be kept under the custody of the Secretary at the Associations’ office.

**PART XI: MISCELLANEOUS DISPOSITION**

**ARTICLE 43: Conflict Resolution**

In the event that the Association will come to conflict with its members, stake holders or any institution; the Board of Directors will intervene to find a solution and in case it will fail it will refer the conflict to the General meeting which will have a final say regard being referring the matter to the Registrar of NGO’S in case a solution to the conflict is not resolved.

**PART XII: MEMBERS INCLINATION**

**ARTICLE 44: Agreement**

We the undersigned jointly and severally agree to form and register a non- governmental, non political, non religious Asociation in the name and style of TANZANIA CONSERVATION AND LOCAL HUNTERS ASOCIATION [TACHA]. We further declare that we will be the founder members of TANZANIA CONSERVATION AND LOCAL HUNTERS ASOCIATION [TACHA]; after having read and understood the Constitution by signing against our names; this……………day of ….………………..2018.

1. MR. JOHN M. KISHE - ………………………………..
2. MR.AMINI N. MZIRAY - ………………………………..
3. MR. MASHAKA J. NDONDE - ………………………………..
4. MR. NAIF JAFAR ABRI - ………………………………..
5. MR. FAHAD MAHSEN - ………………………………..
6. MR.THOMAS NDONDE - ………………………………..
7. MR.ABDULMAJID ABDULGHANI - ………………………………..
8. MR.DAUDI IBRAHIM LUMALA - ………………………………..
9. MR. VICTOR GOGADI - ………………………………..

 10.MR. SAEED YESLAM SAEED - ………………………………..

 11.MR. LUCAS GASPER LYARUU - …………………………..……

 12.MR. NABEEL HABRESH SAIDI - ……………..…………………

 13.MR. LINUS F. MWANAMBILIMBI - ………………………………..

 14.MR. ABDALLAH MOHAMED KULEB - ………………………….……

 15.MR. RAYMOND SHAURI - ………………………………..

 16. MR.SALEH I. SALEH - ………………………………..

 17. MR. ROY LEDAMA - ………………………………..

 18.MR. DAVID MATTAKA - ………………………………..

 19. MR. JABEZ MUZE - ………………………………..

**PART XIII: ADOPTION OF THE CONSTITUTION**

**ARTICLE 45: Consesus of Members**

This constitution was approved and accepted by members of TACHA at a Special General meeting held on:

Date: 20th February, 2018

…………………………………. ……….………………………….

CHAIRPERSON SECRETARY