

Constitution of Lesotho National Federation of Organisations of Disabled Persons (LNFOD)

This Constitution shall be the governing law of LNFOD to the extent that it supersedes the existing/previous constitution in cases of inconsistency.

ARTICLE ONE

NAME:

The name of the federation shall be Lesotho National Federation of Organisations of the Disabled hereinafter referred to as (LNFOD)

ADDRESS:

Physical address; number 22 Mabile Road, Old Europa Maseru

Postal address; P.O Box 9988 Maseru 100

Telephone number; +266 22320345

Fax number: +266 22326196

E-mail address; lnfod@lesoff.co.za

Website: www.lnfod.org.ls

The headquarters of the federations shall be situated at any place in Maseru as may be decided by the Executive Committee

ARTICLE TWO

LEGAL STATUS: LESOTHO NATIONAL FEDERATION OF ORGANISATIONS OF THE DISABLED is a non profit making, non-governmental a political federation of the organisations of the people with disabilities.

ARTICLE THREE

THE OBJECTIVES

The objectives of the Federation shall be:

1. To advocate for protection and promotion of the fundamental human rights of the persons with disabilities through public awareness raising and advocacy programme.
2. To influence the government and any other relevant authorities to make laws and policies that take into account issues of the people with disabilities; in education, employment and equal access to all social services offered by the service providers.
3. To address and advise the Lesotho government, local authorities, non-governmental organisations and donor agencies on common disability issues that affect people with disabilities;
4. To encourage formation of national organisations of people with disabilities of specific category of disability which have not been duly formed;
5. To affiliate to international, continental, regional and sub-regional organisations of persons with disabilities;
6. To strengthen leadership and/or development of each specific disability organisations of the Federation;

ARTICLE FOUR

MEMBERSHIP

Membership to the Federation shall be:

1. Any national organisation of persons with visual impairment;

2. Any national organisation of people with physical disability;
3. Any national organisation of people with mental disability and their parents;
4. Any national organisation of the deaf
5. Any national structure of person with multiple disabilities
6. Any sponsoring legal persons who seek and/or desirous of furthering the interest of people with disabilities by giving any financial support, political assistance, donations, grants, requests, testaments, etc.
7. Associate members concerned with training, education and rehabilitation of persons with disabilities.
8. Advisory members who are concerned with professionalism that may impact on disability issues.
9. Honorary members who will be recommended by the executive committee for their contribution in the promotion of human rights and development of persons with disabilities.
10. Members of the federation under Article 4 (1-5) shall enjoy the rights to speak and vote on disability issues
11. The executive committee shall reserve the right to admit members to the federation, which shall be evidenced by signature of a declaration of loyalty to the federation of appropriate members according to the federation constitution.

ARTICLE FIVE

EXECUTIVE COMMITTEE AND ITS FUNCTIONS AND POWERS

1. the executive committee of the federation shall consist of:
 - (a) the chairperson
 - (b) two vice co- chairpersons
 - (c) the secretary general
 - (d) the vice secretary general
 - (e) the treasurer
 - (f) the publicity secretary
 - (g) the vice publicity secretary
 - (h) four ordinary members
2. The executive committee shall hold office for a period of four years.
3. The executive committee shall comprise of three members from each national organisation of persons with disabilities as indicated in article 4 (1-5).
4. Any combination of any two signatures of the chairperson, secretary general and/or treasurer shall suffice any withdrawal of any federation's monies from any bank account that is being operated by the federation.
5. All legal documents or contracts of the federation shall be executed by the executive committee through its official signatories.
6. The executive committee meetings of the federation maybe held at least four times per year for the transaction of any business affecting the federation.
7. The quorum of the executive committee meeting of the federation shall be two thirds (2/3) of the members of the committee.

8. An extra-ordinary executive committee meeting of the federation maybe convened at any time by the executive committee of the federation.
9. The executive committee shall ensure that the constitution of the federation is adhered to by all member organisations of the federation.
10. The executive committee of the federation shall be elected into power for a period of four years.
11. Chairperson, secretary general and the treasurer shall be the signatories of the federation, signatures of the aforementioned signatories shall legally bind the federation where they are signing any documents for and on behalf of the federation.
12. The chairperson shall convene and chair the meetings of the executive committee, sign cheques and binding documents and perform any duties assigned by the committee from time to time.
13. The secretary general take minutes of all meetings, sign on cheques and binding documents and perform any duties assigned by the committee and shall be responsible for progress reporting to the general assembly.
14. Treasurer shall submit financial reports to the Executive Committee and general assembly, sign cheques and binding documents and contracts and together with the chairperson and Secretary General shall open or close bank accounts for the Federation and perform any other duties which may be assigned by the Executive Committee.
15. Co-vice chairpersons shall convene and chair all meetings in the absence of the chairperson and perform any duties assigned by the executive committee.
16. Vice secretary shall take all minutes in the absence of the secretary general and perform all duties assigned by the executive committee.

17. Publicity Secretary shall publicise information of the federation in media and perform any other duties which may be assigned by the executive committee.
18. Vice Publicity Secretary shall publicise information of the Federation in media in the absence of the Publicity Secretary or as per delegation and perform any other duties which may be assigned to by the executive committee.
19. Members shall perform any other duties which may be assigned to by the Executive Committee

ARTICLE SIX

PROPER BOOKS OF ACCOUNTS

FINANCIAL YEAR

1. The Treasurer shall be responsible for keeping of proper books of accounts, which will be audited by an independent auditor.
2. The federation executive committee shall appoint an independent auditor who shall inspect and audit all proper books of accounts of the federation and submit an auditor's report on the status of the federation funds for the purposes of the federation general assembly or any law in force in Lesotho for the time being.
3. The appointment of an independent auditor shall be made by executive committee through majority votes
4. The independent auditor shall be appointed for a period not exceeding three years.
5. The financial year of the Federation shall be 1st January to 31st December of each calendar year.

ARTICLE SEVEN

GENERAL ASSEMBLY

1. The general assembly shall comprise of people with disabilities who shall be registered members of each national organisation of people with disabilities stipulated in article 4(1-5) of the federation constitution.
2. The general assembly shall be convened after every four years
3. Each member of the general assembly shall be entitled to freedom of expression on all issues affecting the Federation.
4. Each member of the federation shall have the right to propose any motions common to disability issues.
5. A quorum of the general assembly shall consist of 2/3 national organisations of people with disabilities in terms of article 4(1-5) of the federation constitution.
6. The general meeting may propose amendment of the federation constitution for consideration by the general assembly which shall resolve such amendments by two-thirds (2/3) majority.
7. AGENDA

The agenda of the general assembly may contain the following items: -

- (a) Registration of members of the Federation;
- (b) Progress report;
- (c) Audited financial report;
- (d) Proposals for amendment of the constitution;
- (e) Proposals for changes in the amount of subscription fees;

- (f) Proposals for appointment of advisers of the Federation;
- (g) Proposals for a plan of action; and
- (h) Elections of the executive committee

8. EXTRA ORDINARY GENERAL ASSEMBLY

1. Any member of the federation may request the executive committee of the federation to convene an extra ordinary general assembly on any issue affecting the federation.
2. A quorum for a request for an extra ordinary assembly under article 7(5) shall be 2/3 national organisations of people with disabilities in terms of article 4(1-5) of the federation constitution.
3. A request for an extra-ordinary general assembly must be in writing and it must contain:
 - (a) Agenda for an extra-ordinary general assembly; and
 - (b) Names of national organisations of people with disabilities seeking the extra-ordinary general assembly.

ARTICLE EIGHT

ELECTION AND VOTING

1. Election of the council of relevant members of the council of the federation shall be done by national organisations of persons with disabilities at the general assembly through secret ballot unless members of the federation may opt for an open ballot under article 4(1-5).
2. Each national organisation of people with disabilities present at the general assembly is entitled to elect six members to the council of the federation, which shall have a total of twenty-four members on the basis of equal gender balance.
3. The federation council shall be responsible for election of the executive committee of the federation.

4. The election of executive committee shall be by majority votes and each member of the council shall be entitled to one vote.
5. The executive committee shall hold office for a period of four years. Any member of the committee shall not be elected for more than two consecutive terms to any single post.
6. Election to the executive committee shall be by rotation and equal representation of national organisations of people with disabilities.
7. Elections of the sub-committee of the federation shall be done at the general assembly by the federation council through an open ballot.
8. The nomination committee shall be responsible for the conduction of elections under article 8 (1-2).
9. Each national organisation of people with disabilities under article 4(1-5) shall be entitled to three votes in the decisions of the executive committee.
10. The subcommittee of women's wing shall be elected with disabilities present at general assembly by open ballot on the basis of close adherence to cross disability balance and the term of office of such sub-committee shall be for a period of four years.
11. During the conduction of elections by the nomination committee, the outgoing executive committee and council members must be present.
12. Whenever there is a draw of votes for any post in the executive committee the nomination committee shall call for a by-election in order to resolve the deadlock.
13. Whenever a vacancy exists in the federation executive committee, the federation council shall elect a member from the federation council to fill a relevant

14. Vacancy provided that a national organisation of persons with disabilities under article 4(1-5) has elected a member to fill the vacancy in the federation council after due notification by the executive committee of the federation.
15. The outgoing executive committee shall hand over to the incoming executive committee of the federation within a period of three months after the elections of the incoming executive committee in question.
16. The subcommittee of the youth forum shall be elected by delegate; youth with disabilities present at the general assembly through a secret ballot unless the youth with disabilities opt for an open ballot on the basis of gender and cross disability balance; and such subcommittee shall hold office for a period of four years.
17. The quorum of the general assembly shall be 2/3 national organisations of persons with disabilities present.
18. Where article 14 of the federation constitution applies, each national organisation of persons with disabilities present at the general assembly shall be entitled to have four members elected to the executive committee pending the reversal of article 14 of the federation constitution.

ARTICLE NINE

SECRETARIAT

1. The secretariat of LNFOD shall be headed by the executive director
2. No registered member of any member organisations of LNFOD shall serve LNFOD secretariat as an employee whilst in the LNFOD executive committee /or executive committee of its affiliates.

ARTICLE TEN

ANNUAL GENERAL MEETING

1. The annual general meeting shall consist of members of the executive committee of LNFOD, three delegates from each member organisation of the federation.
2. The annual general meeting shall be convened once at the end of the financial year
3. Quorum of the annual general meeting shall be 2/3 majority of member organisations.
4. The chairperson in consultation with the secretary general shall give members of the annual general meeting two week's notice before the annual general meeting
5. The agenda of the annual general meeting may consists of the following;
 - a) Appointment of two persons to read the minutes of the previous annual general meeting
 - b) Review of the annual report
 - c) Review of the annual financial report
 - d) Review of annual plans and budgets

ARTICLE ELEVEN

ARBITRATION

1. The registrar of welfare organisations established under Lesotho Law shall be arbitrators and/or conciliators in any dispute at the instance of the federation executive movement prescribed in article 4(1-5)
2. For the purposes of sub-article 1 above the federation executive committee and/or any executive committee of any specific disability association may appoint arbitrators at the

national/regional/sub-regional/continental or international level, as may be deemed necessary.

3. Decisions of arbitrators and conciliators shall be binding on the federation unless the aggrieved party appeals to a court of competent jurisdiction in Lesotho.
4. The federation executive committee shall be arbitrators in disputes affecting members under article 4(1- 5) by;
 - 4.1 appointing arbitrators comprising of one member of each member organisation and one member and two members of the LNFOD executive committee

ARTICLE TWELVE

FUND RAISING

The federation shall raise funds for the purposes of fulfilling its objectives in the manner which are not contrary to the laws of Lesotho. Such methods include:

1. Membership subscription which is paid annually by all members, grants, donations, bequests, wills properties and endowments
2. National grants and international development partners funding
3. Subvention from the government of Lesotho

ARTICLE THIRTEEN

CONTRACTS AND BINDING DOCUMENTS

1. The executive committee shall make decisions on contracts to be entered into by the federation.

2. Any two between the Chairperson, Secretary General and Treasurer shall execute contract and binding documents of the federation.
3. The secretariat shall be the custodian of all contracts and binding documents.

ARTICLE FOURTEEN

AMENDMENT OF THE CONSTITUTION

Amendment of the constitution of the federation shall be by two-thirds majority of the general meeting whereby voting shall be by secret ballot unless members of the general assembly opt for an open ballot

ARTICLE FIFTEEN

BREACH OF THE CONSTITUTION

1. Any member of the federation who violates or breaches the federation constitution may be suspended from the federation by two-thirds (2/3) majority decision of the federation executive committee.
2. Any member of the federation who misuses the federation funds shall be requested to pay all of the funds forfeitures will lead to suspension.
3. Any member of the federation who represent the federation without delegation by executive committee may be fined amount equivalent to annual subscription.
4. Any member of the federation who fails to subscribe to the federation annually maybe suspended
5. Any member of the federation who has been suspended shall forfeit any benefit arising out of the federation provided that the federation executive committee so decides.

ARTICLE SIXTEEN

VOTE OF NO CONFIDENCE

1. Vote of no confidence can be motioned against any member of the LNFOD executive committee by a majority of members of the annual general meeting.
2. Vote of no confidence shall be endorsed only if two thirds majority of the members of the general meeting vote for it.
3. Vote of no confidence against the chairperson of the federation shall be the authority of the annual general meeting in which two thirds (2/3) majorities is needed for its approval.

ARTICLE SEVENTEEN

DISOLUTION:

- (1) LESOTHO NATIONAL FEDERATION OF THE ORGANISATIONS OF THE DISABLED shall be dissolved by 2/3 vote's two consecutive meetings of which one shall be the general assembly.
- (2) The organisation shall be desolved where it no longer have members.
- (3) In the event of the dissolution of LNFOD, all funds and assets of the federation shall remain marked for the welfare activities among the organisations of people with disabilities in Lesotho.