

P R E A M B L E

WHEREIN it has become necessary for we Ghanaian students studying in the People's Republic of China to come together in unison, aware of the benefits of a union, wishing to help our motherland in a constructive way for the development of our people;

We, the members of the National Union of Ghana Students- China (NUGS-China);

SEEKING to uphold the good image of Ghana in high esteem;

AND deeming it necessary to help each other during our stay in China;

ACKNOWLEDGING the efforts of our founding fathers;

ACKNOWLEDGING other African students and NUGS-Ghana;

WE, the members of the National Union of Ghana Students-China hereby enact and adopt for ourselves this Constitution, which was first drafted on 5th day of February 1988, reviewed and approved by annual delegate congress on the 11th June, 2016, and pledge to stand united by the principles set forth herein.

CHAPTER ONE: THE CONSTITUTION

ARTICLE 1: THE SUPREMACY OF THE CONSTITUTION

- 1) The supreme power of the **National Union of Ghana Students - China** resides in its Members in whose name and for whose welfare; the Officers of the Union shall act.
- 2) Subject to the Constitution of the Republic of Ghana and all laws of the Republic, this Constitution shall be the Supreme Law of Members of the National Union of Ghana Students - China.
- 3) Any law(s) of Member Institutions/Bodies which is (are) inconsistent with any provision(s) of this Constitution shall, to the extent of the inconsistency be null and void.

ARTICLE 2: ENFORCEMENT OF THE CONSTITUTION

- 1) Any member(s), who alleges that any act(s) or omission(s) of any member(s) is (are) inconsistent with a provision(s) of this Constitution, may bring an action(s) to the Judicial Committee for a declaration(s) to that effect.
- 2) The Judicial Committee shall, for the purpose of a declaration under clause (1) of this article, give such direction, as it may consider appropriate for giving effect to the declaration so made.

CHAPTER TWO: NAME AND STATUS

ARTICLE 3: NAME & NATURE

- 1) The union shall be known and called the National Union of Ghana Students (China) hereinafter referred to as NUGS - China.
- 2) NUGS-China shall be of an apolitical and socio-cultural nature. It shall as far as possible, use dialogue as a means of achieving any end.

ARTICLE 4: MOTTO & EMBLEM

- 1) The motto of the union shall be **UNITY AND PROGRESS**.
- 2) The emblem of the Union shall be a Golden Stool with a cocoa pod in it and a book on it.

ARTICLE 5: MEMBERSHIP

- 1) Any Ghanaian national admitted into a program of study in a recognized institution in China and has registered with a local Chapter of NUGS-China shall be a member of NUGS-China.
- 2) Any Ghanaian national who is pursuing a program of study in other Asian countries qualifies to be an affiliate member and may register with NUGS-China.
- 3) Any Ghanaian who has completed his/her program of study, but still resides in China may be accorded Honorary Membership upon submission of a written application to NUGS-China.
- 4) Any member who has fully paid his/her local and national dues and takes active part in the activities of NUGS-China shall be a **member in good standing**.

ARTICLE 6: PATRONS

- 1) The National Executive Committee (NEC) shall appoint not more than five (5) prominent persons in China, subject to their acceptance and approval by Congress as Patrons of the Union.
- 2) All Patrons shall hold their appointment for two (2) academic years.
- 3) A Patron shall not be a member of any of the member institutions of NUGS-China.

ARTICLE 7: ELDER STATESMEN

- 1) All past Chapter and National Executives, who have completed their program of study shall be Elder Statesmen of NUGS-China until any, in a written statement to the National Secretary, wishes otherwise.
- 2) Elder Statesmen may be assigned duties by the NEC which shall not be inconsistent with any of the provisions of this Constitution.

ARTICLE 8: ACTIVITIES AND OTHER DISPOSITIONS

- 1) The NUGS - China shall organize activities that shall portray the socio-cultural heritage of the Republic of Ghana.
- 2) National Days like Independence Day, Republic Day, etc. may be marked by the organization.

CHAPTER THREE: AIMS AND OBJECTIVES

ARTICLE 9: AIMS

- 1) The aim of NUGS-China shall be to seek the academic, social and general welfare of its members.

ARTICLE 10: OBJECTIVES

The objectives of NUGS-China shall be:

- 1) To provide a forum for members to discuss issues of mutual interest and benefit.
- 2) To defend the rights of the members and awaken the spirit of solidarity among them.
- 3) To Strengthen and reinforce the Union amongst Ghanaian students.
- 4) To promote friendship between the Ghanaian students and other students in China.
- 5) To mobilize the intellectual resources of members in an effort to contribute positively to the socio-economic development of our motherland
- 6) To collect, keep and utilize all relevant records of members.
- 7) To collaborate with other students' associations, professional bodies and any other groups on any issue of mutual academic interest and benefit to its members.

CHAPTER FOUR: MEMBERSHIP RIGHTS & OBLIGATIONS

ARTICLE 11: MEMBERSHIP RIGHTS & OBLIGATIONS

The rights and obligations of members include the following:

- 1) Members of the Union shall adhere to and live by the constitution and its program.
- 2) Members shall have the right to elect and be elected to the different positions of the Union in accordance with the various requirements and criteria set up by the Electoral Commission.

- 3) Members shall have the right to attend meetings of the Union and contribute to the deliberations of such a meeting.
- 4) Members shall benefit from the works and moral support of the Union as the situation might dictate.
- 5) The rights of members shall not be violated in any way as long as they adhere to the tenets of the constitution.
- 6) All members should work and act towards the promotion of the success of the Union. In this regard, they should:
 - a. Actively militate and put all their forces in the service of the Union.
 - b. Live an exemplary life worthy of emulation anywhere and at all times.
 - c. Pay their dues (both Local and National) regularly and on time
 - d. Respect and obey the Constitution of the Union
 - e. Defend the moral interest and Ghanaian dignity.
- 7) Any member found guilty of embezzlement or misapplication of Union funds shall, besides paying the sum involved, be reprimanded by the General Assembly, Senate or Congress as the case may be.

CHAPTER FIVE: STRUCTURE AND ORGANIZATION

ARTICLE 12: COMPOSITION

- 1) The NUGS-China (National) shall consist of the following organs:
 - a. Congress
 - b. National Senate
 - c. National Executive Officers
 - d. National Committees and Boards

- 2) The NUGS-China (Chapters/Province) shall consist of the following organs:
 - a. Provincial Senate
 - b. Chapter General Assembly
 - c. Chapter Executive Council
 - d. Chapter Committees and Boards

ARTICLE 13: CONGRESS

- 1) There shall be a Congress, which shall be the highest decision making organ of NUGS-China.
- 2) Congress shall comprise of:
 - (a) The National Executive Committee;
 - (b) The National Senate;
 - (c) Members of National Committees and Commissions;
 - (d) Five (5) Delegates from each Chapter;
 - (e) Aspirants to National Office(s) who are not members of the above bodies;
 - (f) Any other person(s) invited by the National Executive Committee.
- 3) The selection of delegates to the Congress, by the Chapters, shall be representative of the various institutions in the Member Chapters or city.
- 4) The Member Institutions may sponsor not more than ten (10) observers of Congress, who shall not have voting rights.

- 5) Quorum shall be at least fifty percent (50%) representation of Chapters, registered to attend congress, plus the National President and the Secretary General or their representatives, and any decisions taken shall be binding on all member Institutions.
- 6) For the avoidance of doubt, observers are not to be counted when a quorum is being constituted.
- 7) Decisions shall be by simple majority, unless otherwise provided for by this Constitution.
- 8) Congress shall concern itself with:
 - a. General policy of NUGS-China;
 - b. Any issue referred to it by Member Institutions, Senate, the NEC, and/or any other Organ(s) of NUGS-China;
 - c. Hold National Executive Elections or impeach National Executive Officers
 - d. May amend or review and adopt a new constitution;
 - e. Approve or disapprove of reports and statements to be presented by the Chapter Executive Committees;
 - f. Carry out functions that are agreed on as the National Senate considers necessary.
- 8) Any issue to be discussed in Congress, which is not being initiated by the National Executive Committee (NEC), shall be communicated in writing to the NEC at least four (4) weeks before Congress.
- 9) Where the NEC is proposing an issue for discussion at the Congress, the NEC shall ensure that all Member Chapters are served with such notice at least four (4) weeks before Congress.
- 10) Member Chapters shall ensure that Congress fees for all delegates and observers payable to the NEC are paid at least two (2) weeks before Congress.
- 11) Congress shall be held at least once a year, and the Senate shall decide the date and venue of the Congress.
- 12) Notwithstanding clause (10) of this article, Congress may be convened at any time to discuss an extra-ordinary issue.
- 13) The NEC or any Member Chapter may convene an extra-ordinary Congress, which shall discuss issues which may have necessitated the calling of the Congress only.
- 14) Any issue to be discussed in the extra-ordinary Congress, which is not being initiated by the NEC, shall first be communicated to the NEC, who shall then, ensure that all Member Chapters are served with copies of such notice at least two (2) weeks before the Congress.
- 15) Where the NEC is proposing an issue(s) for discussion at an extra-ordinary Congress, NEC shall ensure that all Member Chapters are served with such notice at least two (2) weeks before the Congress.
- 16) The convener, not being the NEC, as in clause '13' of this article shall bear two-thirds (2/3) of the cost of organization, while NEC bears the rest.
- 17) The national executive shall host the congress with the National President presiding.
- 18) A communiqué shall be issued at the end of every Congress.

ARTICLE 14: ORGANIZATION OF THE CONGRESS

- 1) A. Member Chapters may bid for the hosting of the Congress at Annual Delegate Congress.
 B. Three (3) member cities shall be shortlisted to host Congress
 C. Senate shall decide the final host city at least six (6) months before Congress
- 2) The National Executive in consultation with the National Senate and the Chapter hosting the congress, shall form a Seven (7) Member Local Organizing Committee (LOC).

- 3) The Seven (7) Members of the LOC shall include the Local President, Secretary, Financial Secretary, members in charge of accommodation, feeding, transportation and publicity.
- 4) The local General Assembly shall meet to nominate other members of the LOC for approval by the Senate.
- 5) The LOC shall meet to appoint its Chairperson and other supporting members
- 6) The National Executives shall resource the LOC to enable them organize a congress.
- 7) The LOC shall be answerable to the National Executives, National Senate and Congress.
- 8) If congress is held in a city that has a Provincial Coordinator in the same city, the Provincial Coordinator shall be the Chairperson of the LOC.
- 9) If congress is held in a city without a Provincial Coordinator the local president in the city shall be the Chairperson of the LOC.
- 10) The local financial secretary shall be the LOC member in charge of finance.
- 11) The LOC shall present a statement of accounts of the congress within fourteen (14) days to the Audit Committee after the end of congress.

ARTICLE 15: THE NATIONAL SENATE

- 1) There shall be established a National Senate hereinafter referred to as the Senate comprising all members of the NEC and all Provincial Coordinators.
- 2) Each Province shall elect a Provincial Coordinator, preferably a past Executive Officer of a Chapter in the Province who shall represent the Province on the National Senate
- 3) The National Senate shall monitor and coordinate all policy decisions taken at Congress for implementation by Member Chapters.
- 4) There shall be at least three (3) Senate meetings in a year, one of which shall be held within twenty-one (21) days before Congress.
- 5) Senate shall elect at its first meeting a Presiding member who shall preside over all the meetings of senate.
- 6) A Presiding Member shall prior to his/her election be a member of Senate except that he or she **shall not** be a member of NEC.
- 7) Senate meetings shall as much as possible be held via video conferencing.
- 8) Quorum shall be at least two-thirds (2/3) of all the members of the National Senate, and any decision taken shall be binding on all Member institutions.
- 9) Notwithstanding clause (6) of this article, a Senate meeting may be convened at any time to discuss an extra-ordinary issue(s).
- 10) The NEC or any Provincial Coordinator may convene an extra-ordinary Senate meeting, which shall discuss the issue(s) which may have necessitated the calling of the meeting only.
- 11) Where the NEC is proposing an issue(s) for discussion at an extra-ordinary Senate meeting, NEC shall ensure that all members of Senate are served with such notice at least two (2) weeks before the meeting.
- 12) Any issue to be discussed in the extra-ordinary Senate meeting, which is not being initiated by NEC, shall be communicated to the NEC, who shall then ensure that all members are served with copies of such notice at least two (2) weeks before the meeting.
- 13) Decisions taken at Senate meetings shall be communicated to all members of NUGS-China through the Provincial Coordinators within fourteen (14) days after such meeting.

CHAPTER SIX: OFFICERS OF THE UNION

ARTICLE 16: THE NATIONAL EXECUTIVE OFFICERS

- 1) There shall be a National Executive officer, hereinafter called the Officers who shall form a National Executive Committee (NEC) which shall consist of the following Officers:
 - a. The National President;
 - b. The Vice President
 - c. The Secretary General;
 - d. The Financial Controller,
 - e. The National Organizer, and
 - f. The Women's Commissioner.
- 2) The Officers shall represent all members of NUGS-China.
- 3) The term of office of the officers shall be one academic year and an officer shall be eligible for re-election for another one term only, provided that such an officer qualifies to stand for elections.
- 4) The above provision notwithstanding the maximum term of office of an executive officer shall not exceed two terms.
- 5) The National Officers shall be elected at the Annual Congress
- 6) The quorum for NEC meetings shall be four (4) members, including the National President.
- 7) The NEC shall be responsible for the organization of all official meetings, activities and functions for the promotion of the aim and objectives of NUGS-China at the national level.
- 8) Notwithstanding any provision in this Constitution, the NEC shall in times of emergency assume emergency powers appropriately to contain the emergency situation, and shall convene an extra-ordinary Senate meeting within twenty-one (21) days after exercising such emergency powers, to justify to the Senate the use of such emergency powers.
- 9) The NEC shall jointly and severally be responsible to Congress.
- 10) There shall be at least three (3) NEC meetings in a year.
- 11) The NEC shall submit a statement of the union's finances to the Audit Committee for the purposes of audit at least one month before congress is held.

ARTICLE 17: RESPONSIBILITIES OF OFFICERS OF THE NEC

1) The National President

- a. The National President shall preside over Congress, NEC meetings and any other official meetings, activities and functions of NUGS-China.
- b. In the absence of the National President, the Vice President shall act as the National President who shall preside over the bodies mentioned in article 17 (1) (a) above.
- c. He/She shall have a casting vote in the event of a tie at Congress and NEC meetings.
- d. He/She shall be the official spokesperson of NUGS-China, unless otherwise delegated by him/her.
- e. He/She shall approve all expenditure of NUGS-China.
- f. He/She shall represent Ghanaian students in China at the national level where such representation is required.
- g. The President may delegate or assign functions to the other Executive members from time to time

2) The National Vice President

- a. The Vice President position shall separately be contested for as any other National Executive position.

- b. the Vice President shall assist the President in the execution of his/her duties
- c. The Vice president shall perform the duties of the President under this constitution in his/her absence, with the same power given to the President.
- d. The Vice president shall perform any additional duties, consistent with provisions of this constitution assigned to him/her from time to time by Congress, Senate, NEC or the President of NUGS-China.
- e. The Vice President shall chair all sub-committees established by the NEC
- f. He shall supervise all special projects of NEC
- g. He shall facilitate all issues relating to students' passport, marriage certificate and other related documents.
- h. Notwithstanding **Article 17 clause 2g** supra, He shall **not** receive any payment in relation to the renewal of the Students passport.

3) The Secretary General

- a. The Secretary General shall convene and take minutes at Congress, Senate, the NEC and all other official meetings, activities or functions of NUGS-China and make it available to member chapters at least two (2) weeks before the next meeting(s).
- b. He/She shall take custody of all documents and records of NUGS-China, except those relating to finance, and shall properly index them for transfer to the in-coming NEC
- c. He/She shall be responsible for all the correspondence for and on behalf of NUGS-China.
- d. He/She shall perform any additional duties as may be assigned to him/her by Congress, Senate, the NEC, and/or the National President, provided it is consistent with the provisions of this Constitution.
- e. He/She shall act as a liaison between the National Executive Committee and the Chapters of the Union;
- f. In discharging of his/her duties, the General Secretary shall make half annual reports about the functioning of the Chapters to the President.

4) The Financial Controller

- a. The Financial Controller shall be responsible for all financial matters of NUGS-China, including the collection of dues, financial contributions of any form and disbursement of all monies.
- b. He/She shall keep all financial documents and proper records of financial transactions of NUGS-China.
- c. He/She shall present a budget proposal to the first Senate meeting and a Financial Statement to all Senate meetings and Congress.
- d. He/She shall keep a reasonable imprest, which shall be determined by Senate.
- e. He/She shall ensure proper financial management of the Union.
- f. He/She shall perform any additional duties assigned to him/her by Congress, Senate, the NEC, and/or the National President, provided it is consistent with the provisions of this Constitution.

5) The National Organizer

- a. The National Organizer shall be responsible for a vibrant link between the NEC, Senate and the entire membership.

- b. Ensure the proper execution of all activities of the Union
- c. Be responsible for the planning, arrangement and preparation of the all Union's meeting premises;
- d. Be in charge of the advertisement and publicity of the Union's programs;
- e. Keep inventory of the physical assets and properties of the Union;
- f. Be the chairperson of the Union's Welfare Committee
- g. Periodically prepares welfare plans for the consideration of the Senate and NEC;
- h. Be assigned duties as and when decided by the NEC or the Senate.
- i. Shall act as the Secretary General in his/her absence.

6) The Women's Commission

- a. There shall be a Women's Commission headed by the Women's Commissioner who shall:
 - b. be responsible for all female gender issues and matters relating to the integration and participation of female members within NUGS-China and other relevant collaborating bodies.
 - c. design and implement programs aimed at developing the capacities, skills and knowledge of female members.
 - d. harness the intellectual capacity of female members with a view to sharpening them as tools for the solution of the problems of the female members.
 - e. serve as a focal point on the cities of the component institutions of NUGS –China for the dissemination and distillation of viewpoints on the problems of female members and their consequent solutions.
 - f. support female members in all their emancipatory endeavours
 - g. serve as a link between female members and other female groups both inside and outside the country with a view to sharing ideas and strategies in women's issues.
 - h. offer a common front for monitoring discriminatory and unfair practices against female members with a view to seeking redress in appropriate cases.
 - i. inculcate in female members a sense of belongingness and active participation in student governance and other related campus activities.
 - j. undertake any other activities or functions specified by Congress, National Senate or National Executive Officers

CHAPTER SEVEN: PROVINCIAL/CITY ORGANISATION

ARTICLE 18: THE PROVINCIAL COORDINATOR

- 1) There shall be in each Province a Provisional Coordinator hereinafter be referred to as the 'Coordinator'.
- 2) The Coordinator shall be the chairperson of the Provincial Senate
- 3) He/she shall be elected from amongst the past local executives at a Senate meeting.
- 4) He/she shall be the head of the Province and a link between the National Union and the Province.
- 5) He/she shall see to the effective running of the Union in the Province.
- 6) He/she shall supervise the activities of the local chapters in the Province and report accordingly to the NEC.
- 7) He/she shall ensure that each chapter organizes at least two (2) programs that may project the Union and the state of Ghana in the chapter.
- 8) He/she shall represent the Province on the National Senate.
- 9) He/she shall perform other tasks assigned to him/her by Congress, Senate or NEC.

ARTICLE 19: THE PROVINCIAL SENATE

- 1) There shall be established a Provincial Senate in each Province
- 2) Membership of the Provincial Senate shall comprise of:-
 - a. The Provincial Coordinator who shall the chairperson.
 - b. The President and Secretary of each local chapter.
- 3) The Senate shall:
 - a. See to the effective operation of the local Chapters of the Union in their respective Provinces.
 - b. Be accountable to the National Executive Committee
- 4) The Senate shall meet at least three (3) times in a year.
- 5) Unless otherwise stated, the Senate shall be duly constituted by:
 - a. The Provincial Coordinator.
 - b. Half of its membership or their Representative.
- 6) In the absence of a Provincial Coordinator the National President shall appoint one of their kind to chair the meeting.

ARTICLE 20: THE GENERAL ASSEMBLY

- 1) There shall be a General Assembly at each city of China, where Ghanaian Students can be found and NUGS-China is established.
- 2) The General Assembly shall be composed of all Ghanaian students studying in that City
- 3) The General Assembly of the city shall:
 - a. Be the supreme body of the Union in that City.
 - b. Elect or revoke the members of the executive of the city.
 - c. Approve or disapprove of the reports of the city executive
 - d. See to the welfare of Ghanaians in that city.
- 4) The City General Assembly shall meet at least twice every semester upon the call of the City Executive.
- 5) Unless otherwise stated the General Assembly shall be duly constituted by 1/3 of its members.
- 6) The chairperson of the City Executive Committee shall preside over the City General Assembly.
- 7) In the absence of the Chairperson, the Vice President or General Secretary shall preside.

ARTICLE 21: CITY/CHAPTER EXECUTIVES

- 1) There shall be City/Chapter Executives in every city where a local chapter of the union is established who shall constitute the Executive Committee of the Chapter/Chapter.
- 2) The City/Chapter Executives shall be elected by its members for one academic year and shall be eligible for re-election for another term provided they have not graduated.
- 3) The above provision notwithstanding, in a City/Chapter where there are less than five (5) members, a leader shall be elected to exercise the functions of the City/Chapter executive.
- 4) The City/Chapter executives shall be composed of the following:
 - a. The President
 - b. The General Secretary
 - c. The Treasurer.
- 5) Where a City/Chapter has fifty (50) or more members the Executive Committee may be increased to six (6) to include:

- a. The Vice President
 - b. The Organizer
 - c. The Women’s Commissioner
- 6) The City/Chapter Executives shall:
- a. Direct the affairs of NUGS-China in the City.
 - b. Execute decisions taken by the City/Chapter General Assembly.
 - c. Make decisions and take measures, as situation in the cities shall dictate.
 - d. Represent the national executive when authorized to do so.
 - e. Exercise functions as may be decided by the General Assembly.
 - f. Exercise such other similar function as exercised by the executive officers.
- 7) The City/Chapter President or the Leader of Ghanaians in an institution, as the case may be, shall be the mouthpiece of Ghanaians in that institution and shall represent Ghanaian students on all bodies established by the institution of study in which there are Ghanaian students

CHAPTER EIGHT: COMMISSIONS/COMMITTEES OF THE UNION

ARTICLE 22: COMMISSIONS & COMMITTEES

- 1) NUGS-CHINA shall have the following Committees
- (a) Judicial Committee
 - (b) Electoral Commission
 - (c) Vetting Committee
 - (d) Finance Committee
 - (e) Audit Committee
 - (f) Welfare Committee
- 2) Subject to this Constitution, all of the Committees shall be formed by the National Senate at least one (1) month before Congress and approved by Congress.
- 3) Subject to this Constitution the Composition of each committee shall not exceed five (5) persons, including the Chairperson unless otherwise stated.
- 4) Committee members shall select their own chairperson’s.

ARTICLE 23: THE ELECTORAL COMMISSION

- 1) There shall be a five (5) member Independent Electoral Commission of NUGS-China, financed from the NUGS- China Accounts, which shall be a standing committee.
- 2) The Electoral Commission shall be during Congress.
- 3) The quorum for all EC meetings shall be three (3) members.
- 4) The Electoral Commission shall elect their Chairperson at their first meeting.
- 5) The Electoral Commission shall be responsible for the conduct of all NUGS-China elections and shall formulate their own modus operandi, which shall not be in contravention with any provision(s) of this constitution.

ARTICLE 24: THE VETTING COMMITTEE

- 1) There shall be an Independent Vetting Committee which shall consist of two (2) Elder Statesmen and three (3) NUGS-China members
- 2) The three (3) NUGS-China members so nominated shall be from different Member Cities.

- 3) The quorum for all the Vetting Committee meetings shall be three (3) members who shall sit and vet aspirants.
- 4) Without prejudice to any provision in this constitution, any student aspiring to any position shall be subjected to a vetting
- 5) The Vetting Committee shall not be subjected to the instruction of any person or body in the performance of its duties.
- 6) The Vetting Committee shall be responsible for ensuring that candidates for the NEC elections under this constitution satisfy the requirements provided for in this constitution or regulations as may be set by the Electoral Commission.
- 7) It shall recommend or nullify a person's candidature after Vetting based on justifiable grounds.
- 8) Vetting results shall be declared not later than the second day of Congress.
- 9) The Vetting Committee shall submit a confidential report to the Judicial Committee after the performance of its duties.
- 10) A candidate affected by a Vetting Committee's decision shall have 24 hours within which to appeal to the Judicial Committee

ARTICLE 25: THE JUDICIAL COMMITTEE

- 1) There shall be an Independent Judicial Committee of NUGS- China, which shall consist of five (5) members appointed from the membership of the union who are neither chapter nor national officers.
- 2) The Judicial Committee shall be a standing committee of the Union.
- 3) The last Senate meeting preceding Congress shall nominate the members of the Judicial Committee for approval by Congress. The members of the Judicial Committee shall appoint their Chairperson at their first meeting.
- 4) The chairperson of the Judicial Committee shall act as the National President in the case of an enblock resignation of the NEC, until such time by-elections are carried out as provided for in this Constitution.
- 5) The quorum for all the Judicial Committee sitting shall be three (3) who shall sit and determine any case brought before it except in the case of an appeal where all the five members shall be empanelled.
- 6) Any member may bring an action before the Judicial Committee for a declaration or an order to the effect where any document, act or omission of any person is inconsistent with or in contravention of a provision of this Constitution.
- 7) All cases brought before the Judicial Committee shall be in writing, addressed to the Chairperson of the Committee and such cases should be dealt with within forty-eight (48) hours.
- 8) A member of the Judicial Committee shall not be liable to any action or suit for a commission or omission by him/her in the exercise of judicial functions
- 9) In the exercise of its functions the Judicial Committee shall be subject to this constitution only and shall not be subject to the control and direction of any person or authority.
- 10) All students shall accord the Judicial Committee such assistance as it may reasonably require protecting its independence, dignity and effectiveness.
- 11) The Judicial Committee shall have jurisdiction in:
 - a. All matters relating to the interpretation and enforcement of this constitution
 - b. All matters arising as to whether a resolution was made or, authority has acted in excess of the powers conferred on it by this constitution or any other provision made thereunder.

- c. All matters relating to elections under this constitution,
 - d. Impeachment proceedings against any executive officer.
 - e. Any dispute amongst Province/Cities of NUGS-CHINA.
- 12) The Judicial Committee shall:
- a. Have power to give advisory opinions to the executive council or other committees on any legal issues on request.
 - b. Ensure that this constitution is made accessible to all NUGS-CHINA members at any time
- 13) The decision of the Judicial Committee shall be binding on all individual members and bodies of NUGS- China.
- 14) The Judicial Committee shall communicate its declaration or order thereafter to the NEC, a copy of which shall be served on the member who brought the action before the Committee.
- 15) Any member to whom a declaration or order is addressed by the Judicial Committee shall duly obey and carry out the terms of the declaration or order.
- 16) The Judicial Committee shall be bound to give written reason(s) for its decisions copied to all parties involved.
- 17) Subject to this Constitution, a member may ask for a review of the Judicial Committee's decision within twenty-four (24) hours after declaring
- 18) The Judicial Committee shall perform any other responsibilities as may be determined by Senate or Congress.
- 19) In all its deliberations the Committee shall adhere to the principles of equality, fairness and justice

ARTICLE 26: THE FINANCE COMMITTEE

- 1) There shall be established a Finance Committee of the Union.
- 2) The Finance Committee shall comprise of;
 - a. The Financial Controller as chairperson
 - b. All City Treasurers
- 3) The Finance Committee shall be charged with the duty of drawing up a provisional Annual Budget for discussion and approval by Congress

ARTICLE 27: THE AUDIT COMMITTEE

- 1) There shall be a three (3) member Audit Committee appointed by Senate at the last Senate meeting before Congress.
- 2) The members of the Audit Committee, as much as possible, shall have an appreciable knowledge in auditing and accounting principles.
- 3) The committee shall audit the accounts of NUGS-CHINA and all Committees, Commissions and Boards established under this constitution or by a resolution of the Senate, or Congress.
- 4) The findings of the Committee shall be communicated to Congress together with its opinions as to the transparency or otherwise of the transactions undertaken by NUGS-CHINA, its commissions or committees.
- 5) In the performance of its functions under this constitution or any other resolution of the Senate, not inconsistent with this constitution, the Audit Committee shall not be subject to the control of any other person or authority.
- 6) All Auditors appointed under this Constitution shall have complete access to all documents and information necessary for the execution of their duties.
- 7) The Audit Committee so appointed shall stand dissolved after congress unless its mandate is extended by Congress.

ARTICLE 28: THE WELFARE COMMITTEE

- 1) There shall be established a Welfare Committee.
- 2) The Welfare Committee shall comprise of;
 - a. The National Organizer as the Chairperson,
 - b. One representative from each Province appointed by the Provincial Senate
- 3) The Welfare Committee shall be charged with the duties of member's welfare
- 4) To benefit from the provisions of the Welfare a person must be a member in good standing (i.e. fully paid up member)
- 5) The member must take active part in union activities.
- 6) A member may benefit from the welfare under the following circumstances:
 - a. Bereavement of a close relation (i.e. Father, mother, child, yourself)
 - b. Graduation
 - c. Marriage (engagement or wedding)
 - d. Childbirth by a qualified member
 - e. Ailment
 - f. Any other genuine reasons accepted by the National Executive Committee

ARTICLE 29: APPOINTMENTS

- 1) Apart from the Commissions /Committees aforementioned, Congress, Senate, or the NEC may appoint a person, committee, or commission on an ad hoc basis and assign to him/her/them such functions as may be determined by the appointing Organ.
- 2) The functions of any such person, committee, or commission shall be deemed automatically void when the purpose for which he/she/they was/were appointed ceases.

CHAPTER NINE: UNION FINANCES POLICY & BUDGET

ARTICLE 30: INCOME & BUDGET

- 1) The funds of NUGS-China shall include:
 - a. Annual membership dues, both Local and National Dues
 - b. Fundraising,
 - c. Donations, and
 - d. Any other lawful source of cash contribution or income generation activity.
- 2) Any member who defaults in the payment of his/her national and local dues shall be made to pay three (3) times the amount of each year in default.
- 3) The Finance Committee shall submit a Financial Policy to Senate at its first sitting after Congress for approval.
- 4) The Executive Officers shall submit its annual budget to Senate at its first sitting after Congress for approval.
- 5) The disbursement of funds shall be subject to the approval of the Senate.
- 6) A comprehensive written Financial Statement of expenses by the Finance Committee shall be submitted and presented to the Senate and Congress at each sitting.
- 7) None conformity to the clause supra constitute a ground for removal from office or any appropriate sanctions meted out to the person or group of persons concerned.
- 8) The Financial Controller shall hand in a prepared financial statement to delegates on the first day of the congress.
- 9) The financial statement shall be dated three (3) days to congress.
- 10) The LOC member in charge of finance shall present congress financial statement on the last day of the congress.

- 11) If misappropriation of funds is detected in the congress financial statement, the LOC members shall be made to refund the money.
- 12) NUGS-CHINA may receive voluntary contributions from any individual, body or bodies provided that such contributions have no conditions, which are contrary to the aims and objectives of NUGS-CHINA attached to them.
- 13) Executive Officers may decide to raise funds from any source(s) subject to the qualifications made above.
- 14) All financial contributions by members, donations and other amount as may be derived from any venture undertaken by NUGS-China shall be paid into the National Fund within 48 hours

ARTICLE 31: EXPENDITURE

- 1) The expenditure of NUGS-China shall include the following:
 - a. Administrative expenses
 - b. T&T, honorarium and/or per diem of officers who work for and on behalf of NUGS-China
 - c. Cost of Projects duly approved by Senate and/or Congress
 - d. Organization of Senate, Congress and NEC meetings
- 2) The annual dues shall be determined by Congress, and shall be paid by all members through their respective Member Chapters.
- 3) The value of the Dues shall be determined indexing it against inflation and the status of the Union.
- 4) Congress may impose special levy on members as and when executive council deems necessary.
- 5) All monies received by any officer on behalf of NUGS-China shall be handed over to the Financial Controller not later than fourteen (14) days after collection any before disbursement.
- 6) Any Member Chapter which defaults in the payment of the dues of its members or any other monies belonging to NUGS-China shall lose its voting rights at Senate meetings and Congress until such time that the debt is paid.
- 7) The National President, Secretary General and Financial Controller shall be signatories to all NUGS-China Accounts, and the National President together with any of the two (2) Officers shall sign for the purpose of withdrawals.
- 8) The National President and the National Treasurer shall sign all pay vouchers.

CHAPTER TEN: ELECTIONS AND REMOVAL OF OFFICER

ARTICLE 32: ELECTIONS OF OFFICERS

- 1) Elections at all levels shall be by democratic means.
- 2) Aspirants contesting for the position of President, Vice President, Secretary General, Financial Controller, Organizer and Women Commissioner for national elections and those for chapter elections shall be full-time students who have completed at least six months and have one more academic year to complete their programs of pursuit and of good standing.
- 3) Further rules and regulations guiding the conduct of elections of the NEC shall be set by the National Electoral Commission and those for the Chapter by the Chapter Electoral Commission set up for that purpose.
- 4) The results of the national elections shall be presented to Congress for ratification and approval within twenty-four (24) hours after the declaration of the results and that of the Chapters shall be declared within 48 hours by the Electoral commission after close of

- voting.
- 5) In the event of disputes of the national electoral results, the aggrieved contestant(s) may challenge the declaration with a written notice to the Judicial Committee within three (3) hours after the results have been declared and within twenty-four (24) hours in the case of Chapter elections.
 - 6) A person shall not be qualified to stand for an Executive position of both national and chapter if he/she:
 - a. Has been convicted of any crime in Ghana or elsewhere;
 - b. Has been declared or involved in any financial misappropriation or impropriety;
 - c. Is of an unsound mind;
 - d. Has a low moral standard;
 - e. Has been found by any committee of inquiry to be incompetent to hold any office and the findings have not been set aside on appeal or judicial review, or
 - f. Has once been removed from any student office.
 - 7) All aspiring Candidates shall obtain a nomination form from the national secretariat, complete it, seconded by five (5) members of good standing and submit same to the secretariat one month before the congress.

ARTICLE 33: VOTING

- 1) The Electoral Commission shall:
 - a. Compile an electoral register
 - b. Make rules for the conduct of elections and publish it to Congress at least 1hour before voting starts.
- 2) Voting shall be by Secret ballot.
- 3) A candidate shall be considered as duly elected by simple majority.
- 4) An unopposed candidate shall have fifty percent plus one of the valid votes cast.
- 5) The electoral commissioner shall re-open the nomination upon the un-fulfillment of the clause (4) supra.
- 6) In the event of the same candidate being returned unopposed for the second time, he/she shall be deemed duly elected
- 7) Only delegates of good standing from each Province will qualify to vote.
- 8) The Electoral Commissioner shall declare provisional electoral results within one hour after counting of votes in the case of a National Elections and within twenty-four (24) hours in the case of a Chapter or City Elections.
- 9) Notwithstanding the clause (8) supra, where there is delay the electoral commissioner shall inform Congress of the reasons for the delay.
- 10) A person may challenge the results of an election within three (3) hour after the declaration of the provisional electoral results in respect of which the petition is presented.
- 11) The challenge must be in a form of a petition addressed to the Judicial Committee Chairperson.
- 12) The Judicial Committee findings shall be made known to congress within 3 hours after the petition had been received by its chair.
- 13) A declaration of the Judicial Committee shall be binding without prejudice to anyone.

ARTICLE 34: TENURE OF OFFICE AND REMOVAL

- 1) All officers of the NEC and Chapter Executives shall hold office for one academic year

- only.
- 2) Any officer of the NEC/Chapter Executives may resign, vacate, be impeached, suspended, or removed from office on account of:
 - a. Mismanagement of funds;
 - b. Infirmary of body or mind;
 - c. Gross misconduct;
 - d. To have acted in violation to his/her Oath of office;
 - e. To have conducted himself or herself, which is prejudicial or inimical to the interest of the members of the Union;
 - f. To have acted contrary to the spirit and the letter of this constitution
 - g. Negligence of duty and/or,
 - h. Any act that is likely to bring NUGS-China into disrepute, ridicule or contempt.
 - 3) An officer of the NEC may be removed from office by two-thirds (2/3) majority of delegates present and voting at Senate meeting or the Congress based on the findings of the Judicial Committee.
 - 4) Subject to clause (3) of this article, Senate or Congress may, based on credible evidence or suspicion, interdict any officer of the NEC until such time that the officer concerned has been conclusively investigated by the Judicial Committee.
 - 5) A member may, subject to clause (3) of this article, initiate an impeachment proceedings against any officer by writing to the Judicial Committee, stating very clearly the reason(s) for the impeachment and providing all the necessary evidence for the allegation(s), and the Judicial Committee shall take all the necessary steps to address the issue to its logical conclusion. The decision shall be communicated to Congress or Senate.
 - 6) In the case of Chapter or City the petition shall go to the Judicial Committee who shall submit its report to the Provincial Coordinator.
 - 7) The provincial Coordinator shall cause a General assembly meeting to be held, if adverse findings are made against the officer involved, and at such meeting the General Assembly shall vote for his/her removal or otherwise.
 - 8) An officer of the NEC other than the National President may relinquish his/her post voluntarily by writing to the National President at least two (2) weeks prior to the proposed date of resignation.
 - 9) The National President may relinquish his/her post voluntarily by writing to the Secretary General at least two (2) weeks prior to the proposed date of resignation.
 - 10) On receipt of any proposed resignation letter from any officer, the National President or Secretary General, as the case may be, shall communicate to the NEC and Senate about such resignation within two weeks.
 - 11) A chapter/City executive may relinquish his/her position by writing to the Provisional Coordination giving at least two (2 weeks' notice.
 - 12) An officer who resigns his/her position or who otherwise leaves office shall hand over all properties of NUGS-China in his/her possession to the NEC and clear him/herself in respect of any other obligations he/she may owe to NUGS-China within two weeks.
 - 13) Any vacancy created in respect of any officer by whatever cause shall be filled within twenty-one (21) days through the appropriate constitutional means.

ARTICLE 35: VACANCY OF OFFICE

- 1) An office shall be considered vacant if any officer:
 - a. Suffers an impeachment

- b. Vacates his/her post for 21 working days without official notice to the Senate;
- c. Resigns from office, dies or is incapacitated by ill-health from performing his/her functions;
- d. The President shall notify the Senate of such vacancy
- e. The Executive Council shall, within 4 weeks upon the receiving such notice elect a substantive officer to act in the vacant position.

ARTICLE 36: PROCEDURE FOR REMOVAL FROM OFFICE

- 1) For the purpose of the removal from office of an executive officer, a notice in writing shall be given to the Judicial Committee Chairperson who shall notify all Chapters or where is a chapter officer the Provincial Coordinator of that province.
- 2) The notice referred to in the clause above shall be accompanied by a statement setting out in detail the facts, supported by the documents on which the removal is sought.
- 3) The Judicial Committee shall, within two (2) weeks add its independent opinion to the facts as to its merits or otherwise.
- 4) The President shall convey a Senate meeting within three weeks after the submission of the Judicial Committee’s independent report in the case of a National Officer and to the Provincial Coordinator who shall convey a General assembly meeting in the case of a Chapter officer.
- 5) On impeachment of a National Officer, annual/emergency Congress shall be chaired by the Judicial Committee Chairperson and for a Chapter Officer by the Provincial Coordinator.
- 6) The annual/emergency Congress shall hear the facts of the allegations giving due recognition to the rules of natural justice.
- 7) An officer ceases to hold office upon the approval of his/her impeachment by 2/3 of the members attending the annual/emergency Congress present and approving same.
- 8) The annual/emergency Congress shall appoint an individual to act in such a capacity until a substantive officer is elected.

ARTICLE 37: RETURN OF THE UNION’S ASSET

- 1) Any officer of the Union who resigns, vacates, removed or completes his term of office shall properly handover all Union’s assets in his possession within 48 hours.
- 2) The Executive Council shall use all legal means to retrieve the Unions asset upon the non- fulfillment of clause (1) supra.

CHAPTER ELEVEN: AMENDMENT OF THE CONSTITUTION

ARTICLE 38: AMENDMENTS

- 1) Subject to the provisions of this Constitution, Congress may amend or cause to be amended, in part or in whole, any provision of this Constitution.
- 2) NEC may initiate a total review of the whole constitution after every five(5) years when it’s deemed necessary.
- 3) Any member or Member Chapter may propose an amendment by writing to the Secretary General, at least one (1) month prior to Congress, stating the reasons for such proposed amendment, and the Secretary General shall take the necessary steps to inform other Member Chapters of such proposed amendment.
- 4) Congress, shall, upon receipt of the proposed amendment, debate and adopt it by not less than two thirds (2/3) majority of members present and voting.

ARTICLE 39: STANDING ORDERS

- 1) Congress, the Senate and the NEC meetings shall be guided by the Standing Orders as they appear in the schedules in Appendix I.
- 2) Notwithstanding clause (1) of this article, Congress, Senate and the NEC meetings may suspend or modify a portion of the Standing Orders in case of emergency or necessity, provided that this does not disregard the core business of the meeting.

ARTICLE 40: HANDING OVER

- 1) The outgoing officers shall hand over to the incoming officers at the close of the Congress.
- 2) The incoming officers shall be sworn in before taking office.
- 3) The properties of the Association so handed over shall include a handing over note prepared and signed by the outgoing officers.

ARTICLE 41: TRANSITIONAL PROVISIONS

- 1) The old Constitution of NUGS-China is hereby repealed.
- 2) Notwithstanding the repeal under clause (1) of this article, any provision of the repealed Constitution in existence or in force immediately before the coming into force of this constitution shall, subject to this Constitution, continue to be in force until revoked, altered, cancelled or expires.

ARTICLE 42: INTERPRETATION

- 1) Where an individual member or body of members of the Union, seek clarification, question or challenge as to the true meaning, construction or interpretation of any provision of this Constitution, he/she shall in writing notify the National Executive Committee.
- 2) The National Executive Committee shall refer such a letter to the Judicial Committee within twenty-four (24) hours.
- 3) The decisions of the Judicial Committee shall be final, conclusive and binding.

APPENDIX I

CONDUCT OF MEETINGS & INTERVENTIONS

- a) A speaker shall direct his speech strictly to the motion or amendment under discussion. If no definite motion or amendment before the meeting, the speaker shall direct his speech strictly to the point of the Agenda under discussion. Every member shall address the house and the chair appropriately before speaking.
- b) No member shall be allowed to speak more than once on a subject as long as a member who has not spoken on that subject desires the floor. No member shall speak more than ten (10) minutes at one time without permission of the chair.
- c) The Chairperson shall interpret the standing orders, subject to the approval of the House. He shall be free to take part in all decisions.
- d) Any or more standing Order(s) may, in case of urgency, or after notice duly given, be suspended or changed at any meeting so far as regards business at the particular meeting provided that there is a two-third (2/3) majority in favor.
- e) If the motion -That the motion be now put has been seconded, no further discussion of the original question shall be allowed, but a member may give notice of his desire to speak further on the original question. If the motion is carried, only the proposer of the original question under discussion shall be allowed to speak before the original question is put to vote.
- f) If the motion -Limit debate to a certain specific time period is carried, the Chairperson shall draw up a list of those wishing to take their first speech as the subject and allow each one an equal proportion of the specific period. The proposer shall be allowed a maximum of five (5) minutes to run up before the original motion is put to vote.
- g) In addition to discussion on a motion, the Chairperson shall allow the following points of order of precedence:-
 - [1] Point of Order.
 - [2] Point of correction
 - [3] Point of information
- h) A point of order must be heard at all times and the Chairperson shall give his ruling before the issue is further discussed. Points of order shall deal with the conduct of procedure of the debate. The member rising to put the point of order shall prove one or more of the following:
 - [1] That the speaker is traveling outside the scope of the issues under discussion.
 - [2] That he/she is using improper language
 - [3] That he/she is infringing upon the Constitution of Standing Order(s)

- i) A point of correction shall be a factual presentation seeking to correct a statement made by the last speaker. It must be strictly related to the subject under immediate discussion.
- j) A point of information is a question or a brief statement of a relevant fact concerning the matter under discussion. It should be directed to either the last speaker or the Chairperson.
- k) The Chairperson shall allow the following procedural motions to be put when there is already a proposition on the table, in the following order of precedence;
 - [1] that the motion be now put
 - [2] that the motion not now be put
 - [3] the motion to postpone or adjourn the matter to a later specified meeting
 - [4] the next meeting
 - [5] the motion to refer the matter to a committee, ad hoc or otherwise, for investigation and for report
 - [6] the motion to limit to a certain specified time or period
 - [7] that the matter to lie on the table
 - [8] the motion to adjourn the meeting to a later specified date
- l) If the motion “that the motion not now be put” has been seconded, no further discussion of the original question shall be allowed, but a member may give notice of his/her desire to speak further on the original question if the motion is carried. Only the proposer shall be allowed to speak before the original question is put to vote

APPENDIX II

OATH OF OFFICE

The Presidential Oath (Oath of Secrecy)

I.....having been elected to the high office of the president of NUGS-China do hereby in the name of God solemnly affirm that I will be faithful and true to NUGS-China; that I shall strive at all times to preserve, protect and defend the constitution of NUGS-China and I hereby dedicate myself wholly, without fear or favor to the service and welfare of NUGS-China. I further solemnly affirm that I will conform to the principle of strict accountability; financially and otherwise and that should I at any time break this oath of office I shall submit myself to the dictate of the NUGS-China constitution and suffer the penalty for it. (SO HELP ME GOD).

To be administered by the Chairperson of the Judicial Committee or a Lawyer before Congress during the handing over ceremony.

The General Oath of Office

I.....having been elected asdo hereby in the name of God solemnly affirm that I will at all times faithfully and truly serve NUGS-China, that I will support and uphold the principle of accountability; financially and otherwise and seek the welfare of NUGS-China. I further solemnly affirm that should I at any time break this oath of office, I shall submit myself to the dictate of the NUGS-China constitution and suffer the penalty for it. (SO HELP ME GOD).

To be administered by the Chairperson of the Judicial Committee or a Lawyer before Congress during the handing over ceremony.

Oath for Members of the NEC

I.....having been elected/appointed to the NEC of NUGS-China do hereby in the name of God affirm that I will at all times be faithful and loyal to NUGS-China and will support and uphold the principle of accountability; financially and otherwise and seek the welfare of NUGS-China.

I further solemnly affirm that should I at any time break this oath of office, I shall submit myself to the dictate of the NUGS-China constitution and suffer the penalty for it. (SO HELP ME GOD).

To be administered by the Chairperson of the Judicial Committee or a Lawyer before Congress during the handing over ceremony.

The Judicial Oath

I.....having been appointed as the Chairperson/member of the Judicial Committee of NUGS-China do hereby in the name of God affirm that I will interpret the NUGS-China constitution without fear or favor, to defend and uphold the constitution, and to adjudicate on all matters that shall be brought before the Judicial Committee without affection, ill will or personal interest. I further solemnly affirm that I shall not be found wanting in the discharge of my responsibilities as a member of the NUGS-China Judicial Committee nor place myself in such a position as to frustrate the efficient function of the Judicial Committee of NUGS- China (SO HELP ME GOD).

To be administered by the outgoing Chairperson of the Judicial Committee before Congress during the handing over ceremony.