

NIGERIANS IN DIASPORA
ORGANIZATION, EAST CHINA

DRAFT BYLAW

Prepared and submitted to the Executive Committee of NIDO East
China By

The Bylaw Drafting Committee, 2020

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PREAMBLE

The name of the Organization shall be Nigerians In Diaspora Organization, East China, hereafter called NIDO-EAST CHINA. The Organization shall rotate its physical address to accommodate all sub-regions and would situate the address in the location of the serving President at the time. NIDO-EAST CHINA shall operate as a non-profit organization, pursuant to the Laws of the People's Republic of China, with recognition from the Nigerians in Diaspora Commission (NIDCOM) as enshrined in the Nigerian Diaspora Act 2017. NIDO EAST CHINA in consistency with the constitution of the national body is not affiliated to any political party and shall not participate in any political activities.

The Motto of NIDO-EAST CHINA shall be “Thriving Together for National Development”

ARTICLE 1 - NAME OF ASSOCIATION AND IDENTITY

- The Organization shall be called Nigerians in Diaspora Organization, East China, abbreviated as NIDO-East China.
- NIDO-East China is a non-profit making Organization for Nigerians living (work or study) in Provinces within East China (Anhui, Fujian, Jiangsu, Jiangxi, Shandong, Zhejiang, as well as the municipality of Shanghai).
- The Organization logo shall be official stationary, banners, badges, etc., and shall not be used for any other purpose unless purposes agreed by the Executive Committee.
- The Organization shall be governed by the Constitution.
- This Bylaw shall be cited as the Bylaw of the NIDO-East China with effect from xxth June 2020.

ARTICLE 2 - OBJECTIVES

- To bring all Nigerians in East China under one umbrella as a body.
- To uplift the general welfare of members.
- To positively portray the image of Nigeria as a great continent by being good ambassadors; being discipline, hardworking and law abiding.
- To create learning platform through sharing of ideas from experiences and knowledge acquired through workshops in various professional and business sectors, and leverage expertise for investment and direct contributions to the national development of Nigeria.
- Liaise with appropriate Nigerian governmental authorities, international agencies, private sector companies, educational organizations/institutions and civil society and non-governmental organizations in Nigeria to seek opportunities for returnee Nigerians in diaspora to smoothly fit back into the Nigerian society.
- To help Nigerian Professionals, Student and Business-people resident in Nigeria to access business and professional opportunities in China.

ARTICLE 3 – ACTIVITIES

NIDO-East China will engage in professional activities to help realize its objectives. The activities will include:

- i). Organizing workshops, short trainings, seminars and conferences.
- ii). Promoting Nigerian Culture in China
- iii). Debates, organizing essay writing competitions and publication of newsletter bulletins on topical issues.
- iv). Social Events and Mentorship Programmes.

ARTICLE 4 - MEMBERSHIP

4.1 Membership Categories

NIDO- East China will have two categories of memberships; Standing Members and General Members.

- i). Standing Members: These are members who have completed the required registration process including database and probation period requirements and can stand for and hold Elective Office
- ii). General Member: This membership is open to all citizens of the Federal Republic of Nigeria. Members in this category are not eligible to hold Elective Office Positions.

4.2 Membership Requirements

- i). Membership is open to all Nigerians in East China.
- ii) Membership shall also be extended to spouses of Nigerian citizens who hold a Nigerian international passport, or a valid marriage certificate authenticated by the Nigerian Embassy/Consulate
- ii). Every new member pays a non-refundable registration fee of??? RMB for students and??? RMB for Non-Students and shall observe a probation period of one month.

Note: At the end of the one-month probation period, new members shall fill a membership/ data form. This form shall be co-signed by two referees who shall be Standing Members.

4.3 Cessation of Membership

A person shall cease to be a member of NIDO- East China under any of the following circumstances:

- i). Departure from China for a period of two consecutive years
- ii). Death
- iii). Official letter of resignation as a member
- iv). Expulsion based on serious violations as deemed by the Executive Committee

ARTICLE 5- OBLIGATIONS AND PRIVILEGES OF MEMBERS

- Members shall faithfully comply with the aim and objectives of the Organization, and assist when the need arises;
- Members shall make relevant, progress stimulating and goal-oriented suggestions to the Executive Committee for the smooth running of the Association.
- Members shall pay agreed levies for the activities of the Organization;
- Members shall have to vote and be voted for
- Any member who served the Organization meritoriously shall be rewarded in the form of certificate of recognition duly signed by the Association Incumbent President and/or the patron of the Association or both;
- The Organization if notified shall assist within its capacity any member who is hospitalized or in need of help in other matters;
- The Organization shall console and mourn with the family of a member who passes on.
- The Organization shall provide for members a copy of NIDO-East China Constitution upon registration.

ARTICLE 6 – LEADERSHIP AND ADMINISTRATION

The Association will be managed by a Committee herewith referred to as the Executive Committee.

6.1 The Executive Committee

6.1.1 Composition

- i). The Executive Committee will be composed of the General coordinator/President, Vice-President, General Secretary, Province coordinators, Treasurer, Welfare Secretary and Public Relation Officer.
- ii). The Active Committee shall hold office from the date of election for two? years and they shall be eligible for re-election not exceeding two (2) subsequent terms of office.
- iii). The Organization shall at an Annual General Meeting on an election year elect from its members the Executive Committee.
- iv). The Executive committee member may be removed from office following expulsion for breach of the bylaw, withdrawal or any action that is deemed as misconduct by the executive committee supported by two-third of the members at general meeting.
- v). Vacancies thus created shall be filled by persons elected at the General Meeting resolving the expulsion.

6.1.2 Duties

The Executive Committee shall:

- i). Ensure the implementation of the resolutions of the General Meetings of the Organization
- ii). Be responsible for the active functioning of the Organization and for that purpose may give directions to the office bearers as to the manner in which, within the law, they shall perform their duties.

- iii). Appoint such committees as may be deemed necessary to carry out specific tasks on its behalf.

- iv). Authorize all funds disbursed on behalf of the Organization.
- v). Ensure that Annual and Special General Meetings are held as provided for in this bylaw.
- vi). Promote activities of resource mobilization for the Organization.
- vii). Suspend any office bearer who it has reasonable cause to believe is not properly accounting for any of the funds or property of the Organization or is not performing his/her duties according to the constitution; and appoint one of the other office bearers in an acting capacity. Such suspension shall be reported to the next General Meeting which shall have full power to decide what further action should be taken in the matter.
- viii). Fill in vacant position until the next General Meeting or elections i.e. fill in any vacancies among office bearers created by death, resignation or otherwise by a member of the Executive Committee.
- ix). Ensure that suspension and replacement of office bearers is done in accordance with the bylaw.

6.1.3 Duties and responsibilities of office bearers

The General Coordinator/President

Shall unless prevented by illness or other sufficient cause:

- Preside over all meetings of the Executive Committees and all General Meetings of the Organization,
- Take overall responsibility of the Organization.
- Be the Chief Spokesperson of the Organization.
- Represent the Association in all its dealings with other organizations either personally or through delegation.
- Spearhead mobilization of resources to support the programs of the Organization.

The Vice President

- It shall be the duty of the Vice-President to serve in any capacity as directed by the President; to chair committees; to accept the responsibilities of the President as occasions may demand; and to be available, as necessary, in promoting the general welfare of the Organization.

The Secretary

- Shall attend to all the correspondence of the Union under the general supervision of the Executive Committee. In cases of urgent matters where the Patron cannot be consulted, he/she shall consult the Executive Committee.
- He/she shall issue notices convening all meetings of the Executive Committee and all General Meetings of the Organization and shall be responsible for keeping minutes of all such meetings and for the preservation of all records of proceedings of the Organization and of the Executive Committee.

The Treasurer

- Shall keep all funds belonging to the Organization and shall issue receipts for all funds received by him/her and preserve vouchers for all the money paid by him/her.
- Shall be responsible to the Executive Committee and to the members for ensuring proper bookkeeping; all funds received and paid by the Organization are well prepared, preserved and made available for inspection.
- Shall be responsible for all accounting documents, including cheque books.

The Welfare Secretary/ Project Officer

- Shall in consultation of the Executive committee organize members for Activities of the Organization determine the venue/location /place for activities of the organization.
- Shall be responsible for matters relating to the welfare of members of the Organization, to include but not limited to the following:
- Weddings, Anniversaries, or other like events of or involving members of the Organization;
- Overseeing the delivery of refreshments at Organization meetings, including for Special Events.
- Shall be responsible for fielding requests for assistance from Nigerian Government people and others to whom the Organization is affiliated and bringing up such requests to the Executive Members and, or the General Membership as each case may require.

Regional Coordinators for the following regions

- Anhui,
- Fujian,
- Jiangsu,

- Jiangxi,
- Shandong,
- Zhejiang,
- municipality of Shanghai

Each sub-region shall be responsible for the running of its daily activities and election/appointment of officers but must ensure that such actions are in consistency with the regional Bylaw.

The office of the President of NIDO East China shall be rotated among these sub-regions so also is the operating secretariat of NIDO East China, which means that the secretariat shall reside in the sub-region of the serving/incumbent President.

6.2 The Executive Committee

(a) The Executive Committee of NIDO East China shall consist of the following core officers:

- (i) President
- (ii) Vice President
- (iii) General Secretary (Secretary)
- (iv) Treasurer
- (v) Welfare Secretary/Project Manager
- (vi) Public Relations Officer

(b) In addition to the core officers mentioned above, the Organization may elect members to the positions listed below:

- (i) Social Secretary
- (ii) Provost

(c) The Board of Executives of NIDO East China may include one or more Ex-Officio member.

(d) Notwithstanding the above, the Organization may also create additional offices, merge or modify existing ones, or abolish them altogether by a resolution at a general meeting of the Organization called for that purpose.

6.2.1 Standing and Ad Hoc Committees

(a) The following standing Committees may be created by the Organization: (i) Membership Committee;

- (ii) Mentorship Committee;
- (iii) Ethics and Disciplinary Committee; and
- (iv) Events Committee.

(b) In order to expedite the mandate, goals and responsibilities of NIDO East China, the Board or the General Membership may, at their discretion, establish other Committees. The specific function of such Committees would be to make recommendations to the Board or the General Membership. Once appointed, all members must share the responsibilities of the Committee.

(c) The functions of each Committee and terms of reference shall be determined by the Board or the Organization prior to or at the inception of the Committee.

(d) The Chair of each Committee shall at his/her own discretion or by request of a majority of the members of that Committee, convene meetings.

(e) All Committees shall appoint a secretary who will be responsible for recording and maintaining the minutes of its meetings.

ARTICLE 7 NATURE AND LIMITS OF NIDO EAST CHINA ENGAGEMENT WITH OTHER ORGANIZATIONS

7.1 Relationship with Other Organizations for Business and Cultural Exchanges:

(a) NIDO East China may collaborate and work in partnership with other business and cultural Organizations independently for the implementation of projects and events of common strategic interests.

(b) The nature of NIDO East China involvement shall be determined by the Executive Committee at an executive or emergency meeting preceding the commencement of its involvement with any organization that is the subject of such partnership.

(c) All engagement shall be according to the Guidelines on project prioritization and implementation as set out by the Executive Committee.

(d) NIDO East China may cooperate with any organization or NGO whose visions, goals and operations are consistent with the vision and goals of NIDO East China and NIDO CHINA at large.

(e) All other engagement shall be according to the Guidelines on project set out by the Executive Committee and could be in collaboration with NIDO CHINA or any of the other NIDO Regional Chapters.

ARTICLE 8 - MEETINGS AND QUORUM

- 8.1 The Organization shall in each year hold a General Meeting as the Annual General Meeting (AGM), in addition to any other meetings in that year: Special General Meetings and Monthly General Meetings and shall specify the meeting as such in notice.
- 8.2 The AGM shall be held on Independence Day Anniversary (1st October of the year) of every year at such time and place as the Executive Committee shall decide.
- 8.3 Notice in writing of such AGMs, accompanied by the annual statement of accounts and the agenda for the meeting shall be sent to all members not less than 7 days before the date of the meeting and, where practicable, by press or poster advertisement not less than 10 days before the date of the meeting.
- 8.4 The agenda for any Annual General Meeting shall consist of the following:
 - a) Adoption of agenda.
 - b) Confirmation of the minutes of the previous Annual General Meeting.
 - c) Report by the President.
 - d) Election of office bearers and confirmation of appointed Advisory Board members
 - e) Such other matters as the Executive Committee may decide, to which notice shall have been given in writing by a member or members to the Secretary at least 8 days before the date of the meeting.
 - f) Any other business with the approval of the President
- 8.5 Quorum for General Meetings shall not be less than two-thirds of the registered members of the Organization. If quorum is not attained within an hour from the time appointed for holding the meeting, the meeting shall proceed as *technical committee* and its resolutions/decisions shall be binding on members.

8.6 Special General Meeting may be called under any one of the following circumstances:

- a) For any specific purpose by the Executive Committee through its own motion.
- b) At the request of a member or members in writing to the Secretary. The Executive Committee must make a decision concerning the request and write to the applicant(s) communicating its decision within 15 days of receipt of the request. If the decision is positive, then the Executive Committee shall go ahead and call for the meeting.
- c) By order in writing to the Secretary of not less than half the members and such a meeting shall be held within 21 days of the date of receipt of the requisition.

8.6.1 A special General Meeting shall not discuss any other matter except that for which it was requisitioned.

ARTICLE 9 DISCIPLINARY MEASURES, PROCEDURES AND REMOVAL FROM OFFICE

9.1 DISCIPLINARY MEASURES

(a) All complaints regarding the conduct of any member shall be made in writing and lodged with the Secretary

(b) Disciplinary action may be taken by the General Membership against any member of the Organization, which includes a Member of the Executive Committee who have exhibited Conduct detrimental to the running and/or well-being of the Organization.

(c) Any member or members of the Organization who have exhibited conduct detrimental to the Organization may, in accordance with the gravity of the conduct, be:

- (i) Issued a warning or reprimand;
- (ii) ordered to pay a monetary penalty;
- (iii) make restitution of property or money;
- (iv) render an apology;
- (v) suspended;
- (vi) imposed a combination of any or all as itemized in (i) to (v);
- (vii) or out-rightly expelled.

(d) The Executive Committee shall establish guidelines for determining the appropriate amount of monetary penalty and the period of suspension.

(e) The Executive Committee shall have the final responsibility for the enforcement of any disciplinary measure imposed on any Member of the Organization, including an executive member.

9.1.1 PROCEDURES

(a) A Member in good standing may submit a petition in writing to the Executive Committee through the Secretary to take a disciplinary action against a Member which includes those in the Executive Committee providing specific reasons for such petition. The petition must be supported by at least one (1) other Member in good standing.

(b) The Executive Committee shall constitute an Ethics and Disciplinary Committee and refer the situation to it for investigation to determine the merits of

the petition and recommend the appropriate cause(s) of action in a Report to the Executive Committee. The Committee shall hear from the respondent member.

(c) If the Executive Committee finds from the report that there is not sufficient evidence to support the petition, and if so, recommended by the Ethics and Disciplinary Committee, the Executive Committee shall dismiss the complaint and promptly inform the petitioners and the respondent.

(d) If the Executive Committee finds from the Report that there is sufficient evidence to support the petition, and a disciplinary measure is recommended by the Ethics and Disciplinary Committee, the Secretary shall notify the respondent member of the result of the investigation and the date and time of a meeting of the General Membership at which the petition will be discussed and voted upon.

(e) Notification shall be done by return receipt e-mail, sent at least fourteen (14) days prior to the date a vote on the matter would be taken at a meeting of the General Membership.

(f) The petition shall be discussed at the next meeting of the General Membership of which not less than twenty-one (21) days written notice has been given to the General Membership.

(g) A minimum of twenty-one (21) days written notice of the petition shall be given to the General Membership either independently or with the usual meeting notice.

(h) At the General Membership meeting, the Ethics and Disciplinary Committee shall report its findings and the respondent member will be afforded a period for response.

(i) Upon the completion of the discussion, a vote shall be taken by secret ballot. A two thirds (2/3) vote of majority of Members in good standing in attendance shall be required to impose a disciplinary measure on any member of the Organization.

(j) Once the required two-third majority vote is obtained, the disciplinary measure becomes effective and enforceable against the respondent member. If the required two-third majority vote is not obtained the petition shall be dismissed.

(k) In the case of suspension, a suspension will be for a period of time commensurate with the egregiousness of the conduct or as deemed proportionate by the Ethics and Disciplinary Committee.

9.2 REMOVAL FROM OFFICE

Any Executive Member maybe removed at any time for cause by a 2/3 vote of the General Membership of NIDO East China

This action is subject to:

i). A notice of at least one (1) week of the proposed action shall have been given to the entire membership of NIDO East China.

ii). A petition listing the grounds for removal has been duly lodged with the Secretary, copied to the Executive Committee.

iii) The petition could be launched by a Standing Member or through a class action (petition by a group of Members) and/or a fellow Executive Committee Member

9.2.1 RESIGNATION AND VACANCY

Any vacancy that occurs on the Executive Committee, whether by death, resignation, removal or any other cause, may be filled by a special election for that purpose.

The President may appoint individuals to fill vacant positions on the Executive Committee, pending a special election arranged to fill such vacancies or by appointment by the President.

9.2.2 INTERIM APPOINTMENT

An individual appointed or elected to fill a vacancy shall serve the remaining term of his or her predecessor or until the successor has been elected and qualified.

9.2.3. IMPEACHMENT OF OFFICIAL

A member of the Executive Committee shall be subject to removal from office if he or she commits any of the following:

- i) Embezzlement of NIDO East China fund, including unreported donation;
- ii) Involvement in shady business dealings and/or practices that are capable of tarnishing the name for the organization or bring it into disrepute;
- iii) Knowing misrepresentation of the organization;
- iv) Other impeachable offence i.e. the inability to carry out his or her duties as enshrined in this bylaw.

ARTICLE 10 - ELECTIONS

- Before General Elections the incumbent President shall call for nomination of the Electoral Committee at the executive committee meeting;
- The election for the position of the President shall be rotated among the sub-regions under NIDO East China as listed under Article 6.1.3
- The General Elections shall be conducted by 3-man Electoral Committee nominated at the Executive Committee meeting;
- The 2 or 3-man electoral Committee shall develop the modalities of elections subject to the approval of the simple majority of the General members on a common *WeChat* platform for the Organization.
- The Electoral Committee shall not vote or be voted for;

- Only fully dues paid up members (Standing Members) shall participate in the elections of the Organization

ARTICLE 11 - LEGAL ISSUES

11.1 The income and property of the Organization irrespective of the sources (dues, donations, levies etc.) shall be applied solely towards the realization of the aims and objectives of the Association as set, and no portion there-of shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, even by way of profit to the members of the Organization.

ARTICLE 12 - AMENDMENT OF THE CONSTITUTION

The Organization may by special resolution, pass, modify or repeal this Bylaw or adopt a new Bylaw or change the name of the Organization, provided that no such alteration, amendment or modification shall be made which shall impair or prejudice the effectiveness of the prohibitions contained in this Bylaw.

ARTICLE 13: DECISION BY THE GENERAL BODY

(a) If the Executive Committee fails to resolve an issue, the issue should be referred to the general membership of NIDO East China for a final decision.

(b) Such decisions should be carried by at least two-thirds (2/3) majority of the general membership voting in an AGM and shall be binding upon all members as long as they do not contravene the bylaws of the organization.

ARTICLE 14 - INSPECTION OF ACCOUNTS AND LIST OF MEMBERS

The book of accounts and all documents relating thereto and the list of members of the Association shall be available for inspection by any officer or standing member on giving a notice in writing of not less than seven days to the Secretary.

ARTICLE 15 DISSOLUTION AND DISPOSAL OF ASSETS AND LIABILITIES

(a) The Organization shall be dissolved by a vote of at least two-thirds (2/3) majority of its paid-up members at an Annual or Emergency General Meeting.

(b) If upon the dissolution of the Organization there remains, after the settlement of all debts and liabilities, any assets whatsoever, the same shall be donated to a charitable organization in Nigeria.

(c) The AGM or EGM may appoint Members of the Executive Committee to manage the assets of the Organization in the event of dissolution.

ARTICLE 16 - RATIFICATION

The activities of the Organization shall be governed by the Articles set out herein and any rules, approved guidelines or regulations promulgated under the authority of this Bylaw once ratified.

The Bylaw should include the date that the Bylaw was ratified before names and signatures of relevant Executive Committee Members are appended to it.

This Bylaw will take effect immediately upon its passage by a 2/3 majority of the members of NIDO East China or the Executive Committee Members.

Upon ratification of this Constitution, all prior Bylaws shall be null and void.

President

Name.....

Signature.....

Secretary

Name.....

Signature.....

Chairman Bylaw Drafting Committee

Name.....

Signature.....