

NIGERIANS IN DIASPORA ORGANIZATION, EAST CHINA

DRAFT BYLAW

Prepared and Submitted to the Executive Council of NIDO East
China

By

The Bylaw Drafting Committee

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By the

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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 secretariat shall be located in Shanghai and every serving President shall carry out his/her administrative duties from his/her location. NIDO EAST CHINA shall operate as an autonomous (but not independent of the national body), 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 in Provinces within East China (Anhui, Fujian, Jiangsu, Jiangxi, Shandong, Zhejiang, as well as the municipality of Shanghai).
- The Organization's logo shall be on every official stationery, banners, badges, etc., and shall not be used for any other purposes except those agreed on and approved by the Executive Committee.
- The Organization shall be governed by NiDO East China's Bylaws which also agrees with the constitution of NiDO in China.



- This Bylaw shall be cited as the Bylaw of the NIDO-East China with effect from the date of ratification.

ARTICLE 2 - OBJECTIVES

- To bring all Nigerians in East China under one umbrella “umbrella body”.
- To uplift the general welfare of members.
- To positively portray the image of Nigeria as a great country by being good ambassadors; being disciplined, hardworking and law abiding to our host nation.
- To create learning platforms 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.
- To 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 investments from Nigerians in diaspora, other external entities and help returnee Nigerians to have smooth transition into the Nigerian society.
- To help Nigerian Professionals, Students, Business-people resident in Nigeria to access business and professional opportunities in China.

ARTICLE 3 – ACTIVITIES

NIDO-East China shall engage in professional activities to help realize its objectives.

The activities shall 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 Official 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 150 for students and RMB 400 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 are already 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.
- iv). Expulsion period should have expiry date as deemed appropriate by the Executive and General house
- v. One must first be a member of NiDO East China before becoming a member of NiDO China and registration details in NiDO East China shall be used at the national level.

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 sponsoring the activities of the Organization;
- Members shall have the right to vote and/or be voted for in accordance with 4.1 (i and ii) above;
- Any member who served the Organization meritoriously shall be rewarded in the form of certificate of recognition duly signed by the Organization Incumbent President and/or the patron of the Organization or both;



- The Organization if notified shall assist within its capacity any registered member who is hospitalized or in need of help in other matters;
- The Organization shall console and mourn with the family of a registered member who passes on.
- The Organization shall provide for members a copy of NIDO-East China Bylaw upon registration.
- Membership obligation such as payment of dues or registration fees shall be fulfilled in NiDO East China and agreed percentage transferred to the national body.

ARTICLE 6 – LEADERSHIP AND ADMINISTRATION

The Association will be managed by elected officials herewith referred to as the Executive Council (ExCo).

6.1 The Executive Council

6.1.1 Composition

- i). The Central Executive Council of NiDO East China shall be composed of the President, Vice-President, General Secretary, Public Relations Officer (PRO) or Publicity Secretary, Financial Secretary, Treasurer and Welfare Secretary. The expanded Executive Council shall be the above plus Provincial coordinators.
- ii). The elected officials shall hold office from the date of election for two years and they shall be eligible for re-election not exceeding two (2) consecutive terms of office.
- iii). The Organization shall at an Annual General Meeting on an election year elect from its members the Executive Council or elect officials using a secure online platform



- iv). An Executive Council 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 Council supported by two-third of the members at general meeting or through an online engagement.
- v). Vacancies thus created shall be filled by persons elected at the General Meeting where the expulsion was executed or on a later schedule.
- vi). The central Executive Council shall have seven (7) members (see 6.1.1 (i) above) and the composition regardless of offices shall include at most four (4) officials on a student visa and three (3) on a work visa. In the event that there are no sufficient members on a work visa or student visa, available persons shall fill the offices.

6.1.2 Duties

The Executive Council shall:

- i). Ensure the implementation of the resolutions at General Meetings of the Organization
- ii). Be responsible for active functioning of the Organization and for that purpose may give directions to the office bearers as to the manner in which, within the bylaw, they shall perform their duties.
- iii). Appoint such committees as may be deemed necessary to carry out specific tasks on its behalf for example, the electoral committees for both regional and national representatives, media committee, etc.
- 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 bylaw; and appoint one of the other office bearers in an acting capacity. They may also appoint someone from the general membership. Such suspension shall be reported at the next General Meeting where reasons for suspension shall be presented and the general assembly shall discuss further actions to be taken on the matter. The General Meeting may suggest further actions which may be adopted after a period of suspension not exceeding one year.

viii). Fill in vacant position(s) until the next General Meeting or elections i.e. fill in any vacancies among office bearers created by death, resignation on or otherwise by a member of the Executive Council.

ix). Ensure that suspension and replacement of office bearers are done in accordance with the bylaw.

6.1.3 Duties and responsibilities of office bearers

The President

Shall unless prevented by illness or other sufficient cause:

- Preside over all meetings of the Executive Council and all General Meetings of the Organization or appoint someone to preside.
- 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 General Secretary

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

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 on behalf of the organization.
- Shall be responsible to the Executive Council and to the members for ensuring proper bookkeeping for all funds received and paid by the Organization, preserved and made available for inspection.
- Shall be responsible for all accounting documents, including cheque books.



The Welfare Secretary/ Project Officer

- Shall in consultation with the Executive Council 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 other people to whom the Organization is affiliated and bringing up such requests to the Executive Council and, or the General Membership as each case may require.

Publicity Secretary/ Public Relations Officer (PRO)

- Writing and circulating newsletters
- Posting bulletins,
- Preparing all mailing, writing and arranging all meetings
- Expanding the number of applicants to the Organization
- Help the Organization to become better known
- Help the Organization to gain an enhanced reputation
- Improve external relations
- Maintain good relations with the community and other partners
- Maintain positive relations with old and new members

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 NiDO East China Bylaw.

6.2 Other Possible Executive Council Offices

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

- (i) Social Secretary
- (ii) Provost

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 (when called for).

6.3 Board of Trustees

The Board of Trustees of NiDO-East China shall be made up of two to nine persons who have served as Presidents/Vice Presidents of the organization. A single, non-renewable tenure of 5 years duration shall be allowed.



6.4 Committees

6.4.1 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.
- (v) Media Committee
- (vi) E-Commerce and Investment Committee

(b) In order to expedite the mandate, goals and responsibilities of NIDO East China, the Executive Council or the General Meeting may, at their discretion, establish other Committees. The specific function of such Committees would be to make recommendations to the Executive Council or the General Meeting. 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 Executive Council.

(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 Council 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 Council.
- (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 Council 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 a date and venue as agreed by the members of the Executive Council. Meetings could also be held online.



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) Confirmation and inauguration 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 standing members of the Organization. If quorum is not attained within 30 minutes 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 Council through its own motion.
- b) At the request of a member or members in writing to the General 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 Council shall go ahead and call for the meeting.

c) By order in writing to the General 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 or executive Council member shall be made in writing and lodged with the General Secretary.

(b) Disciplinary action may be taken by the General Membership against any member of the Organization, which includes a Member of the Executive Council who has exhibited conduct detrimental to the running and/or wellbeing of the Organization.

(c) Any member or members of the Organization who has or 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 in public;
- (v) suspended (and removed from all the association's online groups)
- (vi) imposed a combination of any or all as itemized in (i) to (v);

(vii) or out-rightly expelled.

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

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

9.1.1 PROCEDURES

(a) A Member in good standing may submit a petition in writing to the Executive Council through the Secretary to take a disciplinary action against a Member which includes those in the Executive Council providing specific reasons for such petition. The petition must be supported by at least two (2) other members 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 appropriate course (s) of action in a Report to the Executive Council. The Committee shall hear from the concerned members.

(c) If the Executive Council 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.



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- (e) Notification shall be made 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 the standing members 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 Council 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 Council, whether by death, resignation, removal or any other cause, may be filled by a special election for that purpose or by appointment of a member in good standing or a sitting ExCo member.

The Executive Council may appoint individuals to fill vacant positions on the Executive Council, pending a special election arranged to fill such vacancies.

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

- i) Before General Elections the incumbent President shall call for nomination of the Electoral Committee at the executive Council meeting;
- ii) A 6-man committee shall be nominated to conduct the regional elections and a 3-man committee which shall be sent to represent the region at the central body (NIDO China);
- iii) Nominees list shall be presented to the general house for ratifications, for a period of 3-5 days or at a general meeting;
- iv) The Committee shall develop the modalities for elections subject to the approval of the simple majority of the General members on a common *Group Chat* platform for the Organization;
- v) The Electoral Committee Members shall not be eligible to be voted for;
- vi) Only the Standing Members shall participate in the elections of the Organization
- vii) Other provisions as may be deemed necessary based on prevalent situations at a particular time.

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 Organization as set, and no portion thereof 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 Bylaw

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 Council fails to resolve an issue, the issue shall 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 or Emergency General Meeting 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 General 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 Council or board of trustees 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.

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

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

President

Name.....

Signature.....

Secretary

Name.....

Signature.....

Chairman Bylaw Drafting Committee

Name.....

Signature.....

Chairman Constitution Drafting Committee

Name.....

Signature.....

