

LAWS OF SOUTH SUDAN

NON- GOVERNMENTAL ORGANIZATIONS ACT, 2016

CONSTITUTION

OF

**SUPPORT AND EDUCATE SOUTH SUDANESE ORPHANS
(SESSO)**



REGISTERED THIS.....DAY OF 2019


DRAWN & FILED BY:

**ABRAHAM NGONG KELEI,
MILLENNIUM ADVOCATES & ASSOCIATES,
JUBA – SOUTH SUDAN**



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PREAMBLE:

We, the members of **Support and Educate South Sudanese Orphans (SESSO)**, an independent National Non-Governmental Organization based in South Sudan;

INFORMED by the worrying situations of orphans, destitute and street children in our country;

RECOGNIZING the fact that provision of services such as food, shelter, clothing, health and education are human rights issues, and therefore should be availed to every child.

MINDFUL of the devastating humanitarian situations caused by long civil war in our country;

DEVOTED to the improvement of living conditions of orphans, destitute and street children in the Republic of South Sudan;

MOVED by desire to serve and improve the living conditions of our fellow human beings;

MOTIVATED by the overwhelming support of the international partners that address basic human needs such as food, water, medicine and shelter.

RECALLING that all human beings have inalienable rights to services such as education, food, water, shelter and a healthy environment;

COMMITTED to our vision, mission, objectives and Core values as stipulated in this Constitution and other laws of the Republic of South Sudan,

WE HAVE THEREFORE promulgated this Constitution to define, direct and safeguard all our activities, authorities and principles;

ARTICLE 1: INTERPRETATION

Board: Means Board of Directors of Support and Educate South Sudanese Orphans.

Bye-Laws: Means policies or regulations of **Support and Educate South Sudanese Orphans (SESSO)**.

Constitution: Means the reference Constitution of SESSO.

Executive Committee: Means the body that manages the day to day running of the organization.

SESSO – means Support and Educate South Sudanese Orphans (SESSO)

Founder: Means a person who promoted and subscribed to the founding Constitution of SESSO.

Organization: Means the Support and Educate South Sudanese Orphans (SESSO)

CORE VALUES: Means the general principles that guide the organization's daily activities.

RRC: Means the Relief and Rehabilitation Commission.

Member: A person who is a member of the Board or the executive committee of SESSO.

ARTICLE 2: NAME OF THE ORGANISATION

2.1 The name of the organisation is **Support and Educate South Sudanese Orphans** abbreviated as **SESSO**.

2.2 The organisation may change its name when it deem necessary only through the amendment of the Constitution and subsequent registration by RRC.

ARTICLE 3: COMMENCEMENT

This Constitution and the Organization shall commence upon registration and shall remain in force until further amendment are proposed and effected.

ARTICLE 4: HEAD OFFICE AND AREA OF OPERATION

- 4.1 The head office of the Organization shall be in Juba, South Sudan.
- 4.2 The organization (**SESSO**) shall subsequently establish offices in any other states within South Sudan.

ARTICLE 5: STATUS OF THE ORGANISATION

5.1. **Support and Educate South Sudanese Orphans (SESSO)** is voluntary non-governmental, non-profit making, non-political and non-partisan humanitarian and development organisation.

5.2. **SESSO** shall have legal status and personality; and shall have the legal right to sue or be sued in its own name.

ARTICLE 6: SECTORS OF OPERATION

- a. Education
- b. Shelter and clothing
- c. Food
- d. Water and Sanitation
- e. Health

ARTICLE 7: VISION AND MISSION

7.1 Mission Statement:

To mobilize, Rehabilitate, support, empower and educate South Sudanese orphans, destitute or street children to realize their potentials.

7.2 VISION:

To be a leading for no profit National Non-Governmental Organization enabling South Sudanese orphans, destitute or street children to attain excellence in education in order to become self-reliant and responsible South Sudanese citizens.

ARTICLE 8: CORE VALUES

The Core Values of the Organization include but not limited to;

- a) Accountability,
- b) Integrity,
- c) Teamwork,
- d) Impartiality,
- e) Humanity,

ARTICLE 9: OBJECTIVES

MAIN OBJECTIVES.

The Organization has the following main objectives:

- Establishment of children homes in various parts of South Sudan.
- Develop strong and lasting relationship with donors, partners, and government agencies.
- Empower individual beneficiaries with the skills to be independent and support someone else in need.
- Increase community education and awareness on child abuse and Promote girl child education.

Specific Objectives.

And in furtherance of the principal objectives, the Organization shall have the following ancillary objects;

- Identify orphans, destitute and street children.
- To Work in collaboration with other charity organizations working for children, also to work in collaboration with other children home.
- Provide psychosocial support to the orphans, destitute and street children.
- Provide school learning materials in term of textbooks, pens, pencils, rulers, mathematical sets, revision books etc.
- Provide basic needs in term of food items, health care products, cloth, shelter, shoes and other basic needs.
- Sponsor studies for most vulnerable orphans, destitute children and generally advocate for orphans rights and welfare.

- To take such steps by personal or written appeals, private meetings, public meetings or representations to Parliament, government entities and other bodies as may be deemed expedient to promote any of the objectives of the Organization.
- To raise, secure and utilise funds for the attainment of any or all objectives of the Organization, and to do such other things as are incidental or conducive to the attainment of these objectives.

ARTICLE 10: MEMBERSHIP

- 10.1 The present subscribers to this Constitution shall be the members of the organization.
- 10.2 The Board of Directors of the Organization upon the recommendation of the Executive Committee may from time to time admit any person who attains the age of 18 years or above, of sound mind, relevant profession, and who subscribes to the vision, mission and objectives of the Organization.
- 10.3 The eligibility of membership, procedure for admission of new members, categories of members, loss of membership and restoration of membership shall be determined and considered by the Board of Directors in a detailed policy developed by the Organization and meant for this purpose.

ARTICLE 11: RIGHTS AND DUTIES OF MEMBERS

- a) All members must abide by the Constitution and policies or regulations of the Organization.
- b) Members shall participate in all activities of the Organization.
- c) Members shall accept to undertake any assignment given to them by any recognized organ of the Organization.
- d) Members shall have the right to appeal before a committee established in accordance with the rules and regulations of the Organization.
- e) Members shall accept and abide by the decision taken by organs of the Organization.
- f) A member shall have the right to nominate or be nominated to any position in the Organization.
- g) Enjoy the facilities and services offered by the Organization subject to the, Policies and regulations of the Organization.
- h) Access the information relating to the Organization operations, subject to the request of the information from the Board.

ARTICLE 12: ORGANS OF THE ORGANIZATION

- 1) Board of Directors
- 2) The Executive Committee

ARTICLE 13: THE BOARD

- a) The Board shall be comprised of at least five members.
- b) The first Board of this Organization shall be appointed in writing by the subscribers to this Constitution in a meeting convened for this purpose.
- c) It shall be the responsibility of the Board to appoint from among themselves, the Chairperson and Deputy Chairperson of the Board.
- d) The terms and conditions of the operation of Board members shall be spelt out in their terms of reference.

ARTICLE 14: FUNCTIONS OF THE BOARD

The function of the Board shall include;

- a) Spearhead and provide oversight in management and policy matters of the Organization.
- b) Appoint or dismiss members/office bearers of the Executive Committee.
- c) The Board shall have power to conduct, manage, and control the activities, property, and affairs of the Organization.
- d) The Board shall give the Executive Committee full administrative authority to manage the Organization's activities.
- e) The Board shall make rules, policies and regulations for the governance, promotion and advancement of the objectives of the Organization, and for the guidance of the officers thereof, and
- f) The Board shall safeguard the funds and other property of this Organization and direct all expenditures and disbursements.

ARTICLE 15: MEETING AND QUORUM OF BOARD MEETING

- a) The Board shall meet twice a year and shall meet extraordinary when the need arises.
- b) All the meetings of the Board shall be chaired by the chairman of the board and in his/her absence by an appointed member of the board.
- c) The quorum for convening the meeting of the board shall be (50%+1) of the members.
- d) Resolutions of the board shall be made by a simple majority (50%+1) and in case of a tie; the chairman shall have the casting vote.
- e) Notice and agenda of ordinary meetings shall be given at least seven (7) days prior to the scheduled date of the meeting.

ARTICLE 16: VACANCY AND REMOVAL OF BOARD MEMBER

- a) In case a Board member dies, resigns, or is removed, the vacancy shall be filled by a resolution of a majority of the remaining Board Members.
- b) The Organization shall, notwithstanding and for want of members of the Board, not fail to operate and conduct the Organization's activities.
- c) Any vacancy occurring in the Board and any position to be filled by reason of an increase in the number of Board members shall be filled by the Board members.

ARTICLE 17: THE EXECUTIVE COMMITTEE

a) The Membership

The members of the Executive Committee shall be nominated or elected from the members of the Organization, and their office titles shall be determined by the Board as deemed necessary.

ARTICLE 18: POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE

The main functions of the Executive Committee are:

- a) To ensure timely implementation of activities of Organization as approved by the Board;
- b) To coordinate and support projects activities of the Organization;
- c) To ensure timely preparation of progress reports to development partners and other stakeholders;
- d) To devise innovative fundraising methods and techniques to sustain the Organization;
- e) To oversee expenditure and ensure value for money in the activities of the Organization;
- f) To recommend project proposals to donors.
- g) To help in the human capacity building and Organization development of the members.
- h) Shall be the official representative of the Organization.
- i) Shall build relationship with other similar Organizations and other partners based on shared vision and mission.
- j) Shall be accountable to the Board.
- k) Shall recommend to the Board issuance of regulations or policies for the smooth running of the Organization.

- l) Shall recruit additional staff and support staff for the organization when necessary.
- m) Shall perform any other duties assigned to it by the Board.

ARTICLE 19: MEETINGS AND QUORUM OF THE EXECUTIVE COMMITTEE

- f) The Executive Committee shall meet once a month and shall meet extraordinary when the need arises.
- g) All the meetings of the Executive Committee shall be chaired by the Executive Director and in his/her absence by an appointed member of the Executive Committee.
- h) The quorum for convening the meeting of the Executive Committee shall be (50%+1) of the members.
- i) Resolutions of the Executive Committee shall be made by a simple majority (50%+1) and in case of a tie; the head of the Executive Committee shall have the casting vote.
- j) Notice and agenda of ordinary meetings shall be given at least seven (7) days prior to the scheduled date of the meeting.

ARTICLE 20: FINANCES

1) Source of Finance.

- a) The finances of the Support and Educate South Sudanese Orphans (**SESSO**) shall be derived from contributions, fund raising activities, voluntary donations, gifts and grants.
- b) Any other legal sources as may be determined by the Board or the Executive Committee.

2) Financial Management.

- a) The **SESSO** shall have bank account(s) and all transactions shall bear the signatures of the authorized personnel at any given time as the Board may determine from time to time.
- b) The budget proposal shall be made by the office bearers of the Executive Committee and approved by the Board.
- c) Internal audit may take place annually and external auditors may audit the account annually and the results will be shared with board.
- d) The Financial year of the **SESSO** commences on the 01st of January and ends on the 31st December, every year.

ARTICLE 21: DISCIPLINARY PROCESS

- a) A Disciplinary Committee shall be formed by the Executive Committee to investigate and conduct a proceeding to arrive at an appropriate conclusion of the matter.
- b) Any member who commits gross misconduct which includes but not limited to insubordination, misuse of office, bringing the **SESSO** into disrepute, will be subjected to a disciplinary process.
- c) Any member found guilty of misconduct shall be subject to a penalty that shall include but not limited to warning, restitution, suspension or dismissal.
- d) A member who is penalized shall have right to appeal to an Appeal Committee whose membership shall be drawn from higher level of the Organization's organ than that which conducted the original proceeding.
- e) In all its proceedings, the Committee shall be guided by the principles of natural justice, the Constitution and bye-laws of the Organization in reaching its decision.

ARTICLE 22: PROPERTY AND ASSETS

- a) The Executive Committee shall be the custodian of all property and assets of the Organization and any disposal thereof shall be carried out by a Special Committee formed by the members of the Executive Committee subject to the approval of the Board.
- b) Any donated property or asset shall be strictly administered for that particular purpose of donation.

ARTICLE 23: AMENDMENT

- a) Any member of the **SESSO** can submit proposal for amendment of whole or part of the Constitution or any bye-laws of the Organization.
- b) Proposed amendment shall be made in writing and addressed to the head of Executive Committee of the Organization and Chairperson of the Board.
- c) Any amendments to this Constitution shall be approved by at least two-third (2/3rd) of all members.

ARTICLE 24: DISSOLUTION

- a) The **SESSO** may be dissolved by operation of the law or by a resolution passed by two-thirds (2/3) majority in a joint meeting of the Board and Executive Committee.
- b) In the event that the **SESSO** is dissolved for whatever reasons, its assets or proceeds shall be transferred to the relevant governmental authorities in South Sudan after settling debts and liabilities of the Organization.

ARTICLE 25: POLICIES AND REGULATIONS

- a)
- b) .The Board may enact rules, regulations or policies and procedures deemed necessary for the effective operations of the Organization.

ARTICLE 26: DECLARATION

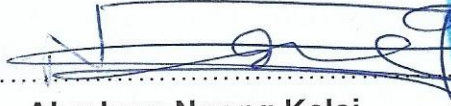
We the under-signed persons also forming the first members of the **Support and Educate South Sudanese Orphans (SESSO)** solemnly confirm this Constitution to be the functioning and binding legal reference document of the Organization and therefore, we append our signatures as a confirmation.

LIST OF THE FOUNDERS (SUBSCRIBERS)

S/NO	NAME IN FULL	TITLE	CONTACT	SIGNATURE
01	Gabriel Malok Maluak	SUBSCRIBER	0924888906	
02	Victoria Anyieth Abraham	SUBSCRIBER	11 JUN 2019	
03	Peter Athiak Lual			
04	Samuel Deng Maguet		0927346100	

DATED THIS 07th DAY OF June, 2019

IN WITNESS of the above Signatures;



Abraham Ngong Kelei

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**SCHEDULE ONE: ORGANO-GRAM OF
SUPPORT AND EDUCATE SOUTH SUDANESE ORPHANS
(SESSO)**

