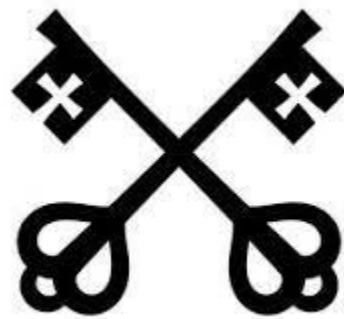




## **BOTSWANA PRISON OFFICERS BURIAL SOCIETY**



## **CONSTITUTION**

# **BOTSWANA PRISON OFFICERS BURIAL SOCIETY CONSTITUTION**

## **ARTICLE 1**

### **NAME AND CHARACTER**

- (a) The name of the society shall be **BOTSWANA PRISON OFFICERS BURIAL SOCIETY**
- (b) The society shall have the capacity to sue and be sued on its own name.
- (c) The Headquarters of the society shall be Gaborone in the Republic of Botswana.

## **ARTICLE 2**

### **INTERPRETATION OF TERMS**

<b>“SOCIETY”</b>	Shall mean the Botswana Prison Officers Burial Society.
<b>“EXECUTIVE COMMITTEE”</b>	Shall mean the committee referred to under Article 7.
<b>“BENEFICIARY”</b>	Shall mean a person registered by a member to benefit upon his death.
<b>“MEMBER”</b>	Shall mean a person who has been duly granted membership under Article 5.
<b>“MASCULINITY”</b>	Word ordinarily referring to a particular gender shall refer to both male and female.
<b>“COMMISSIONER”</b>	Shall mean the Commissioner of Prisons and Rehabilitation his Deputy or Assistants.

## **ARTICLE 3**

### **OBJECTS**

The objectives of the Society shall be:-

- (a) To give immediate financial support to a member’s family upon death of a member.

### **PAYMENT OF ACCOUNTS**

- (a) To give immediate financial support to a member upon death of anyone registered by him as a beneficiary
- (b) The bereaved member/ beneficiary shall be paid directly after he has notified the society of the death of his beneficiary within three calendar months from the date of death of his beneficiary.  
After the elapse of the last day of the three months, the society shall not be liable for any payment
- (c) To encourage moral support among members of the Society.

## **ARTICLE 4**

### **MEMBERSHIP**

Membership of the Society shall be open to the following persons:-

- (a) Prison Officers
- (b) Staff on secondment to the Prison Service
- (c) Industrial staff in the Prison Service
- (d) Retired Prison Officers

## **ARTICLE 5**

### **APPLICATION FOR MEMBERSHIP**

- (a) A person interested in joining the society shall do so by completing forms prescribed or set by the society for that purpose. The forms shall then be sent to the Secretary General of the Society.

- (b) An applicant shall be required to pay a joining fee as well as a monthly subscription fee which shall be revised from time to time.
- (c) Application for membership shall be approved by the executive committee.

## **ARTICLE 6**

### **TERMINATION OF MEMBERSHIP**

- (a) Members resigning from the service or dismissed from service shall automatically cease to be members of the society.
- (b) Upon transfer from the service, staff on secondment shall also cease to be members of the society. This shall equally apply to Industrial Class Staff when they leave the service.
- (c) Members losing their membership to the society in situations at (a) and (b) above will forfeit their joining fees.
- (d) No refund shall be paid on termination of membership.

## **ARTICLE 7**

### **ORGANIZATION AND MANAGEMENT**

- (a) The management of the society including the control of finance and other property shall be performed by an Executive Committee which will hold office for twelve calendar months.
- (b) The organization of the Executive Committee shall be as follows:-
  1. Chairperson
  2. Vice Chairperson
  3. Secretary
  4. Vice Secretary
  5. Treasure
  6. Two additional members
- (c) The Executive Committee will have the power to appoint an advisory committee. The advisory committee shall deal with matters referred to it by the Executive for advice and, it will only meet when there is anything referred to it for advice.
- (d) The executive Committee shall have the power to accept, refuse or nullify any person's membership to the society in accordance with provisions of the constitution and bye- laws.
- (e) The Executive Committee shall ensure that the objects of the society as enshrined in the constitution are followed.
- (f) The Executive Committee shall have the Power to draw and revise bye- laws as may be necessary for administration of the society. Such bye- laws shall be confirmed by a general meeting and shall be binding to all members.
- (g) The Executive Committee shall have the power to appoint auditors and lawyers for the society.

## **ARTICLE 8**

### **COMMITTEE MEETINGS**

- (a) The committee shall meet monthly to review the financial status of the society and also, to attend other matters falling within its competency: provided that the committee will meet anytime without restriction whenever there is an urgent matter to be discussed.
- (b) Save for urgent meetings, notice of meeting shall be made and dispatched to members not less than forty-eight hours before the date of the meeting. Such notice will be accompanied by agenda showing the date, venue and time of meeting.
- (c) The meeting arrangements shall be the responsibility of the secretary general.

(d) Meetings shall be held or let to proceed if the number of members present is not less than four.

## **ARTICLE 9**

### **ANNUAL GENERAL MEETINGS**

- (a) The annual general meeting shall be held every year not later than 31<sup>st</sup> January. The venue shall be Gaborone.
- (b) It shall be attended by representatives sent by members from prison stations all over the country. Members at each prison station shall send such number of representatives to the general meeting as shall be prescribed from time to time. General meetings shall only proceed if representatives present attend are not less than sixty.
- (c) Only representatives shall attend the general meeting.
- (d) The agenda shall be prepared after motions requested from members have been received; it shall then be despatched to prison stations atleast thirty days before date of the meeting.
- (e) Nothing outside the agenda seeking to amend the constitution shall be discussed.
- (f) The decisions at the general meeting shall be passed by simple majority.
- (g) An audited financial statement shall be presented to the annual general meeting.
- (h) Elections of office bearers shall be a requisite item on the agenda.
- (i) Preparations for the annual general meeting shall be responsibility of the executive committee.
- (j) There shall be time set for other business.
- (k) Resolutions of the annual general meeting shall be subject to three months grace period before implementation.

## **ARTICLE 10**

### **SPECIAL GENERAL MEETING**

- (a) A special general meeting shall be called when there is a written request signed by not less than fifty members calling for such a meeting.
- (b) It may also be called by the executive committee when there is a matter to be done or decided upon outside competency.
- (c) The executive committee shall have no power to refuse a meeting called by (a) above.
- (d) Notice of a special general meeting shall not be less than five days before the meeting.

## **ARTICLE 11**

### **INTERVENTION BY THE COMMISSIONER**

- (a) The Commissioner shall be empowered to facilitate the holding of a special general meeting where the executive committee fails to do so under Article 10(a) of the constitution.
- (b) Where the executive committee is involved in allegations serious misuse of society funds and, it's continued to stay in office is undesirable, the Commissioner shall be empowered to relieve it of its duties until a new committee is elected by a general meeting. An interim committee shall be appointed from among members of the society.
- (c) Any intention made by the Commissioner shall be reported to a subsequent general meeting called by him within three months of that intervention.

## **ARTICLE 12**

### **DUTIES OF OFFICE BEARERS**

#### **Chairperson**

- i. Shall preside over all meetings and undertakings of the society. He will have the power to expel from a meeting any member whose conduct is rowdy and threatens the progress of the meeting.
- ii. Coordinate the society's activities.
- iii. Initiate contacts on behalf of the society with organizations, groups or individuals sanctioned by the executive.
- iv. Shall have a casting vote in the event of a tie on a resolution.

#### **Vice Chairperson**

- i. Shall stand in for the chairperson during his absence.
- ii. Deputises the chairperson in all administration matters.

#### **Secretary General**

- i. Do all administrative work of the society. Also, ensure that minutes of meetings are properly recorded.
- ii. Ascertain the correctness of claims filed and to ensure that the right amount of benefit is given.
- iii. Do all public relations duties.

#### **Vice Secretary General**

- i. Shall stand in for the secretary general in his absence.
- ii. Deputises the secretary general as and when necessary

#### **Treasure**

- i. Shall keep and prepare financial records.
- ii. Prepare annual financial statements for the general meeting.
- iii. Receive all monies into the savings of the society.

## **ARTICLE 13**

### **ELECTION OF OFFICE BEARERS**

- (a) They shall be elected at the normal general meeting.
- (b) Names will be proposed, seconded and voting conducted to determine the winner'.
- (c) Voting shall be by show of hand. The one with the highest number of votes will take up the position whilst the second highest will take up the position of vice for post being contested. In case of a tie the poll conductor shall be entitled to vote.
- (d) Office bearers shall be elected from the members of the society.

## **ARTICLE 14**

### **COOPTION**

- (a) The executive committee shall have the power to co-opt any member for a vacancy in the committee if one of the elected members resigns his post or is forced to leave his post by transfer, retirement, resignation or expulsion.
- (b) Persons co-opted to the executive committee will not be more than three.

## **ARTICLE 15**

### **SUB-COMMITTEES**

- (a) Sub-committees shall be formed in all prison stations to work as subordinates to the executive committee.
- (b) The composition shall vary from station to station depending on the strength of members in a particular station.

## **ARTICLE 16**

### **ADJOURNMENT**

Adjournment of meetings shall be made when:-

- (a) A point needs clarification by someone who might not be readily available.
- (b) If discussions have been lengthened beyond control.
- (c) Depending on what is being discussed, adjournment may be, made for the following day or next meeting, or any date agreed upon by those attending the meeting.

## **ARTICLE 17**

### **VOTE OF NO CONFIDENCE**

- (a) Members of the society shall have the power to remove an executive committee or a member from office by moving a vote of no confidence at a general meeting.
- (b) The motion will be debated and voted upon.
- (c) Members will immediately elect a new committee to replace the one voted out of office.

## **ARTICLE 18**

### **DISCIPLINE**

- (a) All members of the society shall be amenable to discipline under this constitution.
- (b) The executive committee will be empowered to inquire and punish members in all cases of discipline.
- (c) The following acts shall be against discipline:-
  - i. Failing to comply or observe the requirements of the constitution or bye-laws of the society.

- ii. Obtaining money from the society improperly or giving false information to the executive committee with intent to defraud the society.
- iii. Tampering with books or other documents of the society.
- iv. failing to pay monthly subscriptions for a period of three months
- (d) Punishments to be given or imposed to members found guilty by the executive will, depending on the gravity of the offence, range from warning, fine to termination of membership.
- (e) the executive committee shall be empowered to instruct lawyers to sue for recovery of money in instances where the society would have been swindled or caused to loose substantial financial interests:  
Provided that nothing under this article will prohibit, inappropriate cases, disciplinary action under the Prisons Act or Criminal prosecution.

## **ARTICLE 19**

### **SETTLEMENT OF DISPUTES AND APPEALS**

- (a) Disputes arising from the interpretation of the constitution will be referred to the general meeting whose interpretation of the constitution is final.
- (b) Appeals from decisions of the executive committee shall lay with the general meeting. the general meeting may appoint a temporary committee of four people to hear and determine the appeal if it cannot hear it and the decision will be final.

## **ARTICLE 20**

### **AMENDMENT OF THE CONSTITUTION**

- (a) Article of this constitution may be added to suspend, changed or revoked by general meeting.
- (b) Amendments to the articles shall be passed by a two third majority of representatives present at the meeting.

## **ARTICLE 21**

### **DISSOLUTION, DISPOSAL OF ASSETS AND LIABILITIES**

- (a) The society shall be dissolved by members when they realise that it has incurred liabilities beyond its capacity and there is no prospect of saving the society.
- (b) In case of (a) above, the decision will be arrived at through a vote, or consensus and, members will appoint a committee to oversee the winding-up of business.
- (c) Members shall contribute money adequate to discharge the liability of the society. Money left after the settlement of debts shall be deposited into the Prison Rewards and Fines Fund which is semi charitable fund.