

#### **ARTICLE 1: Name**

This Association shall be known as the “**AFRICAN BAR ASSOCIATION**” (hereinafter referred to as the “Association.”)

The slogan of the Association shall be “**The Fearless Voice of Legal Profession**”

#### **ARTICLE 2: Registered Office**

The Registered Office shall be situated in Nigeria which shall host the Head Secretariat. This may be reviewed by the Association. Deputy offices may be situated in Lagos or other places approved by the Council.

#### **ARTICLE 3: General Objectives**

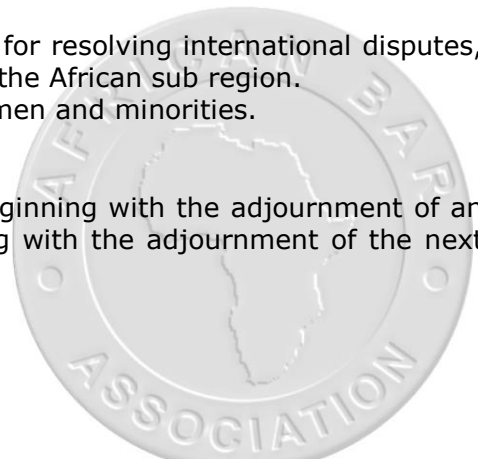
The objectives of the Association shall be to advance the science of jurisprudence, to improve the administration of justice, preserve the independence of the judiciary to uphold the honor and integrity of the legal profession, to promote professional and social intercourse among the members of the local and the international bars, to promote legislation that will improve the economic condition of all African citizens regardless of race, sex, or creed in their efforts to secure a free and untrammled use of the franchise guaranteed by the Constitutions of the states that constitute African Continent, and to protect civil and political rights of the citizens and the residents of the Africa.

##### **AIMS**

- i. Encourage good governance and promotion of business ventures within Africa and the welfare of Africans.
- ii. Defend the interest of African Governments and people at local and the global stage in furtherance of the March to Prosperity and self-sufficiency.
- iii. Work towards enhancing of principles of democracy and separation of powers.
- iv. Strengthen professional links between members of the legal profession in Africa.
- v. Maintain the honor and integrity of the legal profession through the promotion of the highest standards of professional ethics.
- vi. Encouragement of strong and vibrant independent Bar Associations and law societies within member states of the association.
- vii. Encouraging adherence to the rule of law and the independence of the judiciary in all member states of the Association.
- viii. Improving the standard of legal practice through comparative research into the laws in Africa and its attendant benefits to its members.
- ix. Protection of fundamental human rights within the member states of AFBA.
- x. Advancement of the standards of legal practice, rule of law and good corporate governance.
- xi. Promote and support the legal process for resolving international disputes, issues and the electoral process within the African sub region.
- xii. Enhance the protection of children, women and minorities.

#### **ARTICLE 4: Year and Fiscal Year**

The Association’s year is the period beginning with the adjournment of an Annual Conference/Meeting and ending with the adjournment of the next



Annual Conference/Meeting. Unless otherwise determined by the Executive Committee, the fiscal year is January 1 through December 31.

## **ARTICLE 5: Membership**

There shall be four classifications of membership in the Association:

- i. Individual Membership
- ii. Associate Membership
- iii. Student Membership
- iv. Bar Association Membership/Law Societies

Individual Membership shall be available to persons called to the Bar in any African Country or jurisdiction, upon payment of the requirement membership fees and meeting other specified requirements.

Associate Membership is open to any lawyer registered or called to the Bar in any country or jurisdiction. Such individual must complete the appropriate application for membership forms and pay the required annual fees.

Bar Association/Law Societies Membership is unconditionally open to all Bar Associations and Law Societies in the African Continent. However, such which may be National Local or Regional shall pay the specified yearly Membership dues. Such groups will also be expected to nominate in writing to Liaison Officer to the African Bar Association.

Bar Association, Law Societies and other related groups including Civil Societies and other Group approved by the Executive Council of AFBA may apply and get Associate Membership of AFBA upon fulfillment of specified conditions and payment of appropriate dues.

Student Membership is open to all students of Universities and Law Schools in Africa and African Student in other Countries outside Africa. Such students must complete the appropriate application forms and pay the appropriate dues. Membership dues for all categories are fixed and revised from time to time by the Executive Council.

## **ARTICLE 6: Chapters/Branches**

Chapters and branches of AFBA may be opened in any country or jurisdiction, upon application by not less than ten members in such jurisdiction or country and evaluated by AFBA Executive Council which shall give approval in writing, signed by the President.

## **ARTICLE 7: Conferences and Meetings**

**Section a.** The Association shall fix a venue, date and time convenient for its:

- i. Annual General Conference
- ii. Sub-regional Conference
- iii. Any other gathering as may be approved by the Governing Council or the Executive Council

**Section b.** The Governing Council shall decide the venue of any conference or meeting on the recommendation of the Executive Council. The Council shall also on the recommendation of the Executive Council approve the "theme" of any conference or meeting.

**Section c.** Legislative matters to be considered by the Association shall be placed on the agenda for the Annual Conference/Meeting.



**Section d.** All legislative powers not herein granted to or exercised by the members in plenary session convened shall be vested in the Governing Council and the Executive Council during the period between meetings of the members, which powers are necessary for the continued and orderly existence and operation of the Association.

**Section e. Application to Host Conferences/Meetings**

- i. Any application to host the annual general conference/meeting within Africa shall be made in writing to the Secretary General of the Association who shall forward it to the President and the President within two (2) weeks shall summon a joint meeting of the Executive Council, Technical Board and Qualifications Committee where deliberation shall be made for Merits or Demerits of such application
- ii. The outcome of the meeting shall be forwarded in writing to the Governing Council for approval
- iii. Application to host annual general conference/meeting may include several other applications for intending hosts, the joint meeting may consider all the applications together before forwarding same to the Governing Council for approval.
- iv. The Association shall enter into a working relationship in writing with the Host Bar Association/Law Society/Entity which may include the opening of a Joint Account for that purpose; provided such account is opened in accordance will in the provision available in this Charter
- v. For purposes of the developmental assistance to the hosting Bar Association/Law Society, the Association shall leave 25% of surplus funds gathered/earn for the purpose of the event provided that such surplus is arrived at only after the entire financial commitment for the event and connected matters have been paid off.
- vi. However, nothing in this provision shall prevent Bar Association/Law Society whether hosting a Conference/Meeting or not from calling for aid from the Association whether for itself as a group or for any of its members of the Association whose dues and levies are paid up to date
- vii. All hosts of conferences/meetings shall be duly registered/affiliated members of the Association.

**Article 8: Officers**

**Section a. Officers**

The Officers of the Association shall consist of the following:

- i. **President**
- ii. **Senior Vice President**
- iii. **Vice President (Budget & Finance)**
- iv. **Vice President (West Africa)**
- v. **Vice President (East Africa)**
- vi. **Vice President (North Africa)**
- vii. **Vice President (Southern Africa)**
- viii. **Vice President (Central Africa)**
- ix. **Secretary General**
- x. **Deputy Secretary General**
- xi. **Director of Information/Protocol**
- xii. **Deputy Director of Information/Protocol**
- xiii. **Director Accounting**
- xiv. **Executive Director**
- xv. **Director of Treasury**
- xvi. **Welfare Secretary**

**Section b. Eligibility**

- i. Each Officer must be a Regular Member in good standing of the Association, must have registered and attended two of the preceding three Annual Meetings, must have participated in the Association's Leadership Development Institute within the preceding three years and must be registered at and attend the Annual Meeting at which he or she is seeking to be elected.
- ii. Each of the President, Senior Vice President, Vice-Presidents (forums), Secretary-General, and Director of Treasury shall not reside in the same country or belong to the same country forum.

**Section c. Election and Terms**

- i. The President shall serve for a first term of five (5) years and shall be eligible for re-election for one term only.
- ii. Elections into office as President and other offices shall hold at least six months before the expiration of the current tenure.
- iii. Each other Officer shall serve for a term of five (5) years and shall be eligible for re-election for one term only.
- iv. If an Officer becomes a candidate for another office prior to the expiration of his/her current term, that Officer shall submit a written notice of resignation to the President at least thirty (30) days preceding the next Annual Conference/Meeting. The President shall do same and submit to the Chairman of the Governing Council.

**Section d. Vacancies**

If the office of President becomes vacant, the Senior Vice-President shall become the President for the unexpired term. If the office of the Senior Vice-President becomes vacant, the Vice-President Budget and Finance shall become the Senior Vice-President for the unexpired term. If the office of Vice-President, Secretary General or Director of Treasury and any becomes vacant, the Executive Council shall elect the next officer (according to the hierarchy) to fill the office for the unexpired term.

Qualification for election into offices shall be determined by the Qualification Committee set-up by the Executive Council. Qualification to contest and vote at elections or on other such matters as requiring voting shall be based on the following:

- ❖ Forum Membership
- ❖ Committee Membership
- ❖ Annual Conference Attendance
- ❖ Member shall be deemed qualified to vote and be voted for if:
  - i. Provided that any person elected or appointed President Senior Vice President shall not hold office in any National or Local Bar Association or Law Society for that period.
  - ii. Any person currently holding office in any National or Local Bar Association/Law Society at the time of vacancy for the position of President or Senior Vice President of the Association who desires to run for either office shall vacate such position in the National or Local Bar/Law Society within 6months prior to officially submitting a nomination for either position.
  - iii. Any person failing to comply with this provision shall stand disqualified and ineligible to vie for any position in the Association for the next two consecutive elections and if such person has been declared winner of the

election, the declaration shall be withdrawn forthwith and the Senior Vice President or following the Vice President (Budget & Finance) shall automatically become president.

- iv. If the Qualifications Committee makes a finding that a candidate deliberately concealed the fact of ineligibility under this section, such candidate shall be barred from contesting for any position in the Association.
- v. If such a person was holding any such office he/she was elected; he/she shall resign forthwith within one month of election otherwise the Senior Vice President shall automatically become President and so on
- vi. He/ She is a member of at least one committee and one Forum
- vii. He/ She must be an active member of such Committee/Forum and has participated in the activities of the Committee/Forum for not less than a period of three (3) years
- viii. He/ She has secured 60% attendance at the meetings and activities of the Committee/Forum and verified by the Qualification Committee.
- ix. He/ She must have attended not less than two consecutive annual conference of the Association
- x. He or she has met all financial obligations to the Association.

## **ARTICLE9. Duties of Officers**

### **Section a. The President**

Shall:-

- i. The President shall be the Chief Executive Officer of the Association and shall preside at meetings and take decisions for the Association.
- ii. Act as the principal spokesperson of the Association.
- iii. Direct the summoning or convening of all meetings of the Association.
- iv. Liaise with the officers of the Association
- v. Liaise with the officers of the Association in the performance of their duties and coordinate the activities of the Association's officers.
- vi. Ensure effective running of the Secretariat
- vii. Provide direction and leadership to all members of the Association.
- viii. Be a principal signatory to the Association's bank account and shall give approval to all expenditure and requests.
- ix. Present to the Annual General Meeting of the Association an address highlighting the affairs of the Association for the preceding year.
- x. Appoint forum chairmen.

### **Section b. Senior Vice-President**

Shall:-

- i. Assist the President in the performance of the functions of his office
- ii. Deputize or act in the absence of the President
- iii. Perform all other duties as may from time to time be assigned to him/her by the President.

### **Section c. Vice President (Budget & Finance)**

Shall:-

- i. Oversee the control of the budgeting and financing of the Association
- ii. Shall prepare budget reports, income & expenditures of the Association
- iii. Shall also facilitate fundraising and be Chairperson of any fundraising committee
- iv. Shall also perform other duties assigned by the President
- v. Constantly liaise with members of the Association to ensure prompt payment of all annual dues and subscriptions to the Association.
- vi. Compile and circulate the list of all those who have compiled or defaulted.
- i. Collect from members all dues or other payments and handover monies collected to the Treasurer and issue receipts for monies collected, Director

- of the Treasury or in his absence Director of Accounting who shall immediately report same to the Director of the Treasury in writing.
- vii. Keep accurate records of all cash collected and submit monthly and yearly report of the Association's account to the Executive Council.

**Section d. Vice President (West, East, North and Southern and Central)**

Shall:-

- i. Coordinate the affairs in their regions and ensures the smooth running of the Association's dealings in accordance with the Charter of the Association, under the supervision of the President
- ii. Perform all other functions as may be assigned to hi/her by the President of the Association.

**Section e. Secretary General**

Shall:-

- i. With support of his/her Deputy-Secretary General, record or keep the minutes including the attendance register and summary of all decisions taken at all meetings.
- ii. Manage the Secretariat in line with the visions and aspirations of the members and the Executive
- iii. On the direction of the President, issue notices of meetings, circulars and other correspondence of the Association
- iv. Furnish an annual report of the activities of the Association at the Annual General Meeting
- v. Perform all other duties as may be assigned to him/her by the President.
- vi. Shall be the Secretary to the Governing Council.

**Section f. Deputy Secretary General**

Shall:-

- i. Carry out duties of the Secretary General in the absence of the latter
- ii. Assist the Secretary General in the performance of the functions of his/her office.

**Section g. Director of Information/Protocol**

Shall:-

- i. Be responsible for publicizing activities of the Association, expounding and defending the policies of the Association when necessary.
- ii. In conjunction with the Secretary General/Deputy Secretary General, originate and circulate circulars and notices of activities of the Association.
- iii. Perform all other functions as may be assigned to hi/her by the President of the Association.

**Section h. Deputy Director of Information/Protocol**

Shall:-

- i. Carry out duties of the Director of Information/Protocol in the absence of the latter
- ii. Assist the Director of Information/Protocol in the performance of the functions of his/her office.

**Section i. Director of Accounting**

Shall:-

- i. Be Assistant to the Vice President (Budget & Finance) in the overall supervision
- ii. Ensuring an orderly and transparent accounting
- iii. Ensure compliance with the laid down procedures of accounting.
- iv. Chair the accounting and transparency committee.

**Section j. Executive Director**

Shall:-

- i. Be the Chief Administrative officer of the Secretariat
- ii. Organize the business of the Association in such a way that all elected officers function normally
- iii. Be in charge of all staff and make them work with and accountable to the president and all other officers as may be necessary
- iv. Will on the direction of the Chairman of Council, President and other officers designated liaise with international organizations Bar Associations/Law Societies, Eminent persons within and outside the continent, invited guest speakers, resource persons and individuals that may be required for the successful implementation of policies, programs, conferences, meetings etc
- v. Be in compulsory attendance at Governing Council meetings if he is not a member of the Governing Council
- vi. Carry out all other duties assigned by the Council, the President or the Executive Council.

**Section k. Director of Treasury**

Shall:-

- ii. Receive all moneys collected on behalf of the Association or paid to the Association from any sources whatsoever and pay same into the Association's Bank Account
- iii. Carry out decisions or directives of the General Meetings in matters relating to the budget and finances of the Association.
- iv. Effect any payments and keep record of same as may be authorized from time to time.
- v. Be a co-signatory to the operation of the Association's bank account
- vi. Submit to the Annual General Meeting an audited Financial Report of the Association for the relevant financial year.
- vii. Perform any other duties as may be assigned to him/her by the President of the Association.

**Section l. Welfare Secretary**

Shall:-

- i. Be responsible for the welfare of members at social functions of the Association including General Meeting, Annual General Conference and retreats.
- ii. Keep record of dates of birth and anniversaries of members and patrons of the Association and circulate congratulatory messages to that effect, monthly;
- iii. In the event of death of a member of the Association, liaise with the family to ensure full participation of members at the wake-keeping, interment and funeral rites.

**ARTICLE 10: Governing Council**

**Section a. Powers and Functions**

The Association shall have a Governing Council called the African Bar Council which is the highest decision taking arm of the Association. Nomination into the Governing Council is done by the President in collaboration with the Executive Council. The President shall be the Vice Chairman of the Council. The Chairman of the Governing Council shall be elected at an Executive Council meeting specifically called for that purpose and where vacancy exists, the Executive Council shall meet to elect one of the existing members as Chairman.

Nomination into the Governing Council shall be forwarded to the President by any private or corporate member of the Association in good standing in the Association.

The Council shall also on the recommendation of the Executive Council acting with the qualifications committee approve and award honours to deserving lawyers and other persons within or outside the continent who in the opinion of the Association has made African Legal profession proud and has distinguished his/her self in Law or other endeavors. Provided that such persons:

- i. Show sufficient interest in the activities of the Association
- ii. Has impeccable democratic and Human Rights credentials

**Section b. Powers of the Governing Council**

The Governing Council shall have the overall supervisory role over the Association in terms of:

- i. Policy guidelines and programmes
- ii. Funding – see to the purpose and adequate funding of the Association  
Receive, discuss and pass annual budget presented by the Executive Council
- iii. Choose venues for annual meetings, conferences and contents/programms
- iv. Scrutinize and appoint patrons for the Association on the recommendation of the Executive Council.

**Section c. Composition**

- ❖ The Governing Council shall have a total of not less than 42 sitting members at any given time.
- ❖ A quorum of the council is formed with the 25% of current membership strength present in a meeting.
- ❖ The membership of the Governing Council shall not exceed 124 at any given period.
- ❖ Membership of the Council shall be categorized into:
  - i. Life Membership
  - ii. 2 Years
  - iii. 3 Years
  - iv. 4 Years
  - v. Attendance only

Life membership shall not at any given time exceed 20% of the Membership of Council.

Life membership shall automatically be given to the following:

- All past Council Chairman who successfully completed their tenure and not currently under any legal inhibitions.
- All past Presidents
- All past Secretary General

Life membership may be awarded to any other present or past Officer of the Association or any other Legal Practitioner of good standing in Africa who has distinguished his/herself in the Legal Profession or other human endeavours.

Provided:

- i. He/She is nominated by the Executive Council and or Qualifications Committee
- ii. The nomination is forwarded to the President of the Association who shall call for a meeting of the Executive Council to debate on the nomination.

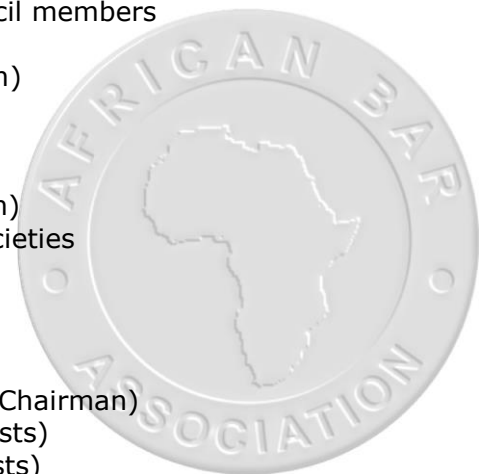


- iii. The Executive Council shall then vote, by simple majority confirm or deny the nominated individual Life Membership. Where there is a tie, the President shall have a deciding vote.
- iv. The decision shall then be forwarded to the Governing Council for approval and the Council shall pass or reject by simple majority vote.

**Section d.** All other categories of Life Membership shall follow same process, provided that no person shall hold more than one category of membership.

Nomination into the membership of the Governing Council can be done by any member of the Association in good standing. The nomination shall be sent to the Executive Council who shall study the nomination with the qualifications committee and if passed as qualified to hold office as council member refer same to a full meeting of the simple majority to elect or reject the nominee.

- i. Chairman (Elected by Exco) from elected council members
- ii. Vice Chairman (President of the Association)
- iii. Secretary (Secretary General of the Association)
- iv. Alternative Secretary (Selected by Council)
- v. Senior Vice President
- vi. Vice President Budget & Finance
- vii. Vice President (West, East, Southern and North)
- viii. Presidents of affiliated Bar Association/Law Societies
- ix. Director of information and protocol
- x. Director of Treasury
- xi. Executive Director
- xii. All past Presidents
- xiii. 1 past Secretary General - (nominated by the Chairman)
- xiv. 2 Nominees by Chairman - (where vacancy exists)
- xv. 2 nominees by President - (where vacancy exists)
- xvi. The Chairmen of the two (2) Divisions
- xvii. 2 Chairmen Representing Forums (Nominated by the Forums)
- xviii. Chairman; Human Rights Council
- xix. 4 Persons Rep. Full Regular Members - (chosen at the Annual Gen Conference)
- xx. 2 Persons Rep. Young Lawyers - (chosen at the Annual Gen Conference)
- xxi. 1 Person Rep. Associate Members
- xxii. 1 Rep. of each member of Bar Association/Law Societies (with all dues fully paid.)



## **ARTICLE 11: The Executive Council**

### **Section a. Power & Functions**

The Executive Committee shall with the approval of the Council make rules and regulations for the operation of all Divisions, Forums, Committee, Councils and Foundation, same shall be publicized and its application shall effect as provisions of this Charter.

### **Section b. Composition**

- i. President
- ii. Senior Vice President
- iii. Vice President (Budget & Finance)
- iv. Vice President (West Africa)
- v. Vice President (East Africa)
- vi. Vice President (North Africa)
- vii. Vice President (Southern Africa)
- viii. Secretary General
- ix. Deputy Secretary General

- x. Director of Information/Protocol
- xi. Deputy Director of Information/Protocol
- xii. Director of Treasury
- xiii. Director of Accounting
- xiv. Director of Conference Planning
- xv. Welfare Secretary
- xvi. Deputy Welfare Secretary
- xvii. Executive Director
- xviii. International Liaison Manager
- xix. Ex-Officio members (Honorary: past President, General Secretary, past Senior Vice-President, Vice-President)

**ARTICLE 12: Technical Board**

**Section a.** Technical Board can form Permanent or Adhoc Committees and shall have powers to:

- i. Look into all tenders for jobs or services referred to it by the Governing Council or the Executive Council
- ii. Provide leadership and advice to the Governing and Executive Councils on issue relating to Technical details, such as: I.C.T, Conference Planning, Building Projects and other such activities and projects of a technical nature.
- iii. With the approval of the President of the Association acting with the Exco hire, retain and fire technical experts to provide technical services for the Association
- iv. Carryout any other functions as may be directed by the Governing Council or the Executive Council, provided that the president may in his discretion constitute the technical board in such a way as to sit with and function with the Exco
- v. The technical board shall constitute the compliance committee of the association to ensure that full procedural, financial guidelines and transparency are observed in all dealings of the Association with the Director of Accounting of the Association Chairman.

**Section b. Composition**

- i. Chairman - President or his nominee
- ii. Secretary - Secretary General of the Association
- iii. All Exco Members
- iv. 4 Council Members – nominated by the Council Chairman
- v. All Special Advisers
- vi. All Special Assistants
- vii. Committee Chairs & Secretaries
- viii. Chairman; Human Rights Institute
- ix. Chairman; African Bar Research Council
- x. 3 Presidents of Bar Association/Law Societies nominated by the advisory board

**ARTICLE 13: Advisory Board**

**Section a.**

- i. The Advisory Board shall consist of the Presidents/Chairmen of registered affiliated Bar Association/Law Societies and shall play an advisory role.
- ii. Shall nominate 3 persons into the technical board
- iii. Shall ensure and work with each country forum to ensure adequate participation in each country or jurisdiction
- iv. Ensure in conjunction with the council that the association is well founded
- v. Shall hold regular meetings with the Committee, the Vice Presidents of the sub-regions and country forums to ensure that the activities of the association go on smoothly

- vi. Ensure peace and help foster unity and resolution of disputes amicably in line with the provisions of this Charter
- vii. Shall do any other thing or carry out any other function assigned to it by the Governing Council, the Executive Council or which it may request the Executive Council to approve in the case of any action not in this section but which is line with the Charter

**Section b. Composition**

- i. Chairman - Appointed by Council from amongst original Members of the board (original members of the board means presidents of registered/affiliated Bar Association/Law Societies)
- ii. Vice Chairman - Appointed by Advisory Board
- iii. Secretary - Appointed by Advisory Board
- iv. 10 other Members - Nominated by Council
- v. Bar Council Chairman - Member
- vi. President (Member)
- vii. 1 Rep. each of Member Bar Associations/Law Societies and Affiliate Groups with all dues fully paid

**ARTICLE 14: Board of Patrons**

The Association shall appoint Patrons as when necessary amongst eminent Africans who may not necessarily be legal practitioners but have sufficient knowledge of the workings of the Association. The individuals must also have good human rights record and willing to assist the Association in every manner necessary to fulfill its objectives.

Nominations and appointments shall be done by the Executive Council. Upon nomination by any member of the Association; the President shall call for a meeting of the Executive where by simple majority vote, the nomination shall then be confirmed or rejected. The president shall in the final appointment consult with the Governing Council for its input.

**ARTICLE 15: Board of Trustees**

There shall be established of a Board of the Trustees of the Association called "African Bar Trustees"

- i. The number of Trustees shall not be less than five and not more than eight.
- ii. The Trustees shall be of perpetual succession and make rules for their operations.
- iii. Decisions shall be made in the Board by simple majority vote in case of a tie, the chairman or the presiding officer shall ask for a casting vote.
- iv. The Trustees cannot sue and be sued in their personal capacity.
- v. No action shall lie against the Trustee in respect of actions taken in pursuant of the interest of the Association or in discharge of their obligation under this Charter.

**Section a. Tenure:**

Each member of the trustees shall serve for life unless otherwise removed in accordance to the conditions stated in this charter or by death.

**Section c. Vacancy:**

In case of any vacancy in the Trustees, the board shall meet to appoint any member of the Association with good standing and repute to fill such vacancy.

**Section b. Powers of the Trustees**

- i. The title to all the property of the Association movable and immovable and all financial asset of the Association shall reside with the Trustees and upon winding up or liquidation of the Association the Trustees shall take over all the credits and liabilities of the Association as it deems fit.
- ii. The Trustees shall have powers to take over management of the Association if it appears that the organs of management of the Association have failed and become unable to function.
- iii. Any dispute or crisis arising within the Association or in the organs of management of the association as stated in the charter shall be resolved by the board of trustees
- iv. The Trustees' resolution on any dispute or crisis within the Association shall be final.
- vi. The Trustees shall have power to sue or be sued on behalf of the Association to the exclusion of any other body in this charter.

**Section d. Removal**

The Trustees stands removed under the following conditions:

- i. If he/she is convicted of any crime by a competent court in any part of the World. Shall stand removed from the Board of Trustees of the Association.
- ii. If he/she is medically adjudged to be of unsound mind
- iii. If he/she voluntarily resigns from the Board of Trustees.
- iv. If he/she resigned from the Association or is no longer a member of the Association under the conditions stated in this charter.

**ARTICLE 16: Departments**

**Section a.** There shall be two Divisions which are: Legal Practice and Public & Professional Interest

**Section b. Forum**

- Cross Border Practice
- i. African Women Lawyers
  - ii. Young Lawyers
  - iii. Patrons
  - iv. Bar Leaders
  - v. Academic
  - vi. Sub-Regional Forum
  - vii. University/Law School
  - viii. Human Rights

**Section c. Committees**

- i. Corporate Governance
- ii. Judiciary and Penal Reform
- iii. Public Defense
- iv. Electoral Process
- v. Finance, Investment & Banking
- vi. Natural Resources
- vii. Environment
- viii. Rule of Law/Constitutionalism
- ix. Inter-Governmental Relations
- x. ADR

- xi. Probono
- xii. Shipping & Maritime
- xiii. Immigration
- xiv. Entertainment, Hospitality & Tourism
- xv. Sports
- xvi. African Bar Research Institute

The Governing Council on the recommendation of Exco shall create Committees when necessary.

**ARTICLE 17: Bank**

**Section a. The Bank**

The Association shall maintain Bank Accounts approved by the Executive Council in any reputable Bank within or outside Africa.

The accounts could be in Local or Foreign Currency.

**Section b. Signatories to the Bank Account**

- i. President - Compulsory
- ii. Senior Vice President
- iii. Vice President (Budget & Finance)
- iv. Director of Accounting
- v. Director of Treasury
- vi. Secretary General
- vii. Executive Director



**Section c. Signatory Mandate**

Any of ii-v can perform a valid transaction with i.

**Section d. Forum Account**

The Executive Council may by resolution in writing signed by the President permit Forums to open Bank Accounts.

- i. Signatories to the accounts shall be Chairman, Vice Chairman and Director of Accounting elected at the Forum meeting where not less than twelve members were present with the Chairman presiding. The Executive Council of the Association shall have supervisory role over such accounts.
- ii. The Vice President (Budget and Finance) shall however exercise such supervisory role over such accounts and may be a co-signatory to any such accounts and or make prior regulations or his approval mandatory during its operation.

**Section e.**

- i. The Association shall have powers to remunerate any member of the Governing Council or Executive Council or Member of Forums, Committees and General Membership who has performed a duty for the Association taking note of time spent and the tedious of technical nature of the job. Provided that this remuneration shall be independent of any out of pocket expenses made by such individual.
- ii. The Association shall be responsible for the travel and lodging expenses of its Council and Exco members, where funds are available members may however bear their cost where the purse of the Association cannot accommodate.

**ARTICLE 18: Governing Laws**

All chapters/branches shall be governed and run by the Charter of the Association as it may be modified to suite the situation and approved by the Governing Council.

**ARTICLE 19: Amendments**

These Articles may be amended only at an Annual Meeting by three-fourths (3/4) of the members present and voting in plenary session upon the following conditions: All proposed amendments to the Constitution shall be received by the Secretary at least sixty (60) days prior to the Annual Meeting, and the proposed amendments shall be mailed or circulated to each member of the Association at least thirty (30) days prior to the Annual Meeting. In the event that the Secretary shall fail or neglect to mail or to circulate timely to the members of the Association the proposed amendments as herein provided, the proposed amendments may be submitted at the Annual Meeting, provided that three-fourths (3/4) of the members present and voting in the plenary session agree to waive the notice requirements and act thereon.

**ARTICLE 20: Corrections**

Upon the adoption of an amendment to the Charter and/or Bylaws, the Secretary may correct punctuation, grammar, or numbering where appropriate in such document(s) if the correction(s) does not change the meaning.

**ARTICLE 21: Constitutional Revisions**

Constitutional amendments shall go into effect and become law immediately upon adoption unless some other time is stated in the amendment.

**ARTICLE 22: Interpretation**

In case of any ambiguity or questions as to the interpretation of any provision of this Charter which have not been resolved by the president; the board of Trustees shall to the exclusion of any other organ in this charter interpret such provision and such interpretation shall be final.

