

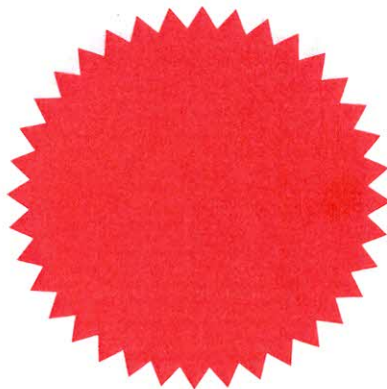
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Lesotho

*Jacoana*

# Constitution

## Of

# Youth Entrepreneurship Development Agency



**Constitution**  
**Of**  
**Youth Entrepreneurship**  
**Development Agency**

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# THE CONSTITUTION OF YOUTH ENTREPRENEURSHIP DEVELOPMENT Agency

## ARTICLE ONE

### 1. NAME

1.1. The official name of the organisation shall be:

Youth Entrepreneurship Development Agency

1.2. The address of the Agency shall be: **Youth Entrepreneurship  
Development Agency**

**The American Corner  
The State Library,  
Kingsway Road Maseru  
100**

1.3. The Youth Entrepreneurship Development Agency shall be the supreme decision making body on resolutions affecting its members in accordance with the objectives of the organisation.

### 1.4. Abbreviations

YEDA ..... Youth Entrepreneurship Development Agency

YEDF..... Youth Entrepreneurship Development Fund

EC ..... Electoral Council

YEDA-EC.....Youth Entrepreneurship Development Agency  
Executive Committee

DC ..... Disciplinary Committee

IS..... Industrial Secretariat

YEDA-IS.....Youth Entrepreneurship Development Agency-  
Industrial Secretariat

AGM.....Annual General Meeting

SGM.....Special General Meeting  
OGM.....Ordinary General Meeting  
CM..... Committee Members  
CeYED..... Centres for Youth Entrepreneurship Development

**1.5. Interpretation**

- a) **Members---** shall refer to affiliated organisation in accordance with the membership article members.
- c) **The Presidium---** shall refer to the YEDA Executive Committee the IS and the Advisory Board.
- d) **The Electoral Commission---** shall refer to members elected body to help oversee free and fair democratic elections of the organisation.
- e) **Resolution---** throughout this document shall be the common decision made by the YEDA executive committee and/or the Presidium.
- f) **The Policy---** shall be that adopted by the YEDA executive committee.
- h) **Executive Committee---** shall refer to the council’s decision making body of the agency.
- i) **CeYED Committee-----** Shall refer to committee members of the Institution or District Centre for Youth Entrepreneurship Development established by the YEDA-EC.
- j) **The Advisory Board-----** shall be a body adopted by the presidium to advice the organisation on achieving its objectives; these shall comprise of representatives from; a registered Financial Institutions Association, national trade/private investment association(s), Recognised government, Nongovernmental and any international funding agencies, established standards regulatory body, and entrepreneurial institutional support agencies, local or international.

## ARTICLE TWO

### 2. FUNCTIONS

- 2.1. The Youth Entrepreneurship Development Agency shall be the supreme decision making body on matters within its jurisdiction, on behalf of its members and affiliate bodies respectively, subject to its aims and objectives.
- 2.2. In order to successfully achieve its functions, the Agency, in consultation with relevant government and nongovernmental agencies; establish competences and capabilities in its operations with particular reference to the following functional areas;
- 2.2.1. initiation of business and entrepreneurship ideation processes;
  - 2.2.2. capacity building to provide for required institutional support for youth led enterprises;
  - 2.2.3. fostering of the National Youth Service and social inclusion
  - 2.2.4. policy research and development;
  - 2.2.5. integrated youth advisory and information services;
  - 2.2.6. control, administration and reporting on organisation funds;
- 2.3. Establish a central head quarters and implementation centres and each to be termed, '***District Centre for Youth Entrepreneurship Development*** or (**CeYED**)' at district level and appoint the necessary personnel to those offices with a close monitoring to ensure full youth participation in the processes thereto.
- (2) The agency may, in order to achieve its functions,
- a. carryout or cause to be carried out any investigation that it deems necessary in respect of its objects or concerning the management and/or administration of the affairs of the Agency;
  - b. consider such recommendations, suggestions and requests concerning youth affairs as it may receive from any credible source deemed so by the YEDA-EC or its appointed personnel; or
  - c. Conduct or cause to be conducted such research as it deems necessary.
- 2.4. Provide proper industrial expert counselling for members and to help drive government and other development partners policies and legislative frameworks which are in favour of and/or programs which promote the Agency's Aims and Objectives towards youth entrepreneurship development.

## **ARTICLE THREE**

### **3. AIMS AND OBJECTIVES**

#### **3.1. AIM 1**

**To help produce successful entrepreneurs and corporations in manufacturing and service industries, in response to the national agenda to encourage entrepreneurial investment within young people throughout the country, and other affiliated academic and/or national bodies.**

##### **3.1.1. Objectives**

- a. To provide incubation platform for entrepreneurial engagement for identified youth groups and individuals as may be determined by the YEDA-EC.
- b. YEDA shall also create and pursue opportunities of entrepreneurial investment in young people from across a spectrum of identified organisations in similar cause as the agency.
- c. To create permanent mutual relationships with relevant stakeholders throughout the business community, government agencies and other bodies in line with the objectives of YEDA nationally and abroad.
- d. To organise, schedule and efficiently host special and mandatory annual business ideas presentations to potential investors, private and/or Government funding agencies and all other stakeholders for the identified youth groups and individuals.

#### **3.2. AIM 2**

**To provide institutional support during the incubation phases of the members enterprises and further provide an efficient platform and required partnerships with investors alike.**

##### **3.2.1. Objectives**

- a. YEDA shall provide members with required resources and information necessary for profitable or social enterprise investment.



- b. To become an effective link between youth entrepreneurs and national organisations, and seek strategic partnerships with such for the purpose of efficiently furthering youth and other members' entrepreneurship interests.
- c. YEDA shall also provide personalised and adequate; mentorship, institutional support, and motivation to its members, youth groups, identified youth individuals and all other bodies of similar nature in other institutions of alike aspirations.
- d. To act as a reliable partner and become proactive with any other matter incidental to the above objectives and in support of the core aims of the organisation.

### **3.3. AIM 3**

**To build strategic partnerships with relevant stakeholders in order to secure funding for members entrepreneurial proposals and donor agencies for the organisational functions finance.**

#### **3.3.1. Objectives**

- a. The Agency shall organise and source funding for training workshops and business seminars for its members and the organisation's growth.
- b. To Source and where possible predominantly secure continued/or revolving funding directed to the members 'successful business proposals'.
- c. To utilize all resources within its reach to source and raise funding from donor development agencies in support of the Agency's lifeblood to attain its set objectives.

## **ARTICLE FOUR**

### **4. FUNDING INTO THE AGENCY**

#### **4.1. Statutory Funds**

The statutory fund shall be the funds raised by the Agency together with its affiliate bodies and societies. The statutory fund shall also be the funds receivable and/or produced by the Agency in all forms including but not limited to the revolving

institutional subventions which may be applicable herein geared towards administration and achievement of goals and objectives of the Agency in general.

**4.1.1. Usage of the Statutory Funds**

The fund shall solely be used to support management and administration of the Agency to achieve the aims and objectives of the organisation under the direction of the financial regulations contained herein.

**4.2. Establishment of the Youth Entrepreneurship Development Fund**

4.2.1. In consequence of the establishment of the Agency, the Fund is hereby established to financially support direct implementation programs of the objects, and functions of the Agency.

4.2.2. The Fund shall be the sole purse in which all monies including government and nongovernmental allocation, donor agency grants, loans and other monies acquired by the Agency for the purposes mentioned in clause 4.2.1 above shall be kept.

**4.2.3. Control and Use of the YEDF**

The Fund shall be under the control of the Executive Committee.

4.2.3.1. The Uses of the Fund shall, subject to availability of funds and the set priority areas as directed by the Executive Committee be to support activities in terms of clause 4.2.1 and expressively to provide for the following;

- a. Facilitate for provision of loans and guarantees for on-lending to youth enterprises;
- b. provide for equity participation by the Agency in youth led enterprises;
- c. provide for establishment and support of entrepreneurship incubation centres and training nationally;
- d. provide for promotion of entrepreneurship through support of youth business councils and/or organizations in institutions of higher learning and or national societies in promotion of youth entrepreneurship;
- e. attract and facilitate investment in micro, small and medium enterprises oriented industrialization;
- f. attract and facilitate investment in infrastructure that will be beneficial to youth led enterprises;

- g. support youth led micro, small and medium enterprises to develop linkages with large enterprises;
- h. facilitate marketing of products and services of youth enterprises both in the domestic, regional and international markets;
- i. facilitate and attend regional, and international conventions and to initiate fundraising drives to attract finance and investment in objects, functions of the agency and in direct youth enterprises' investment;
- j. provide or facilitate for provision of technical expertise and resources for issues of adherence to set national and international quality assurance standards of youth led enterprises;
- k. Facilitate employment and employability of youth in local and international markets.

## **ARTICLE FIVE**

### **5. YEDA POLICIES**

**5.1.** The Agency shall develop a policy which will guide implementation of its objectives and functions, and the policy shall oversee the development of principles guiding Youth Entrepreneurship Development Programmes and all other interventions of the Agency in accordance with its and they must be guided by the following;

- 5.1.1. promotion of respect in democratic processes;
- 5.1.2. recognition of the imbalances among the population and youth caused by inherent or perpetual poverty and a need to first allocate resources with a view of alleviating poverty among young people;
- 5.1.3. creation of avenues for training to accommodate young people in industries and sectors previously occupied by foreign nationals or which discriminated youth on the basis of lacking experience;
- 5.1.4. promotion of equal opportunity and equal treatment of youth , creation of a gender sensitive investment in youth and an inclusive approach to youth economic development signalling issues of disability and redressing disadvantaged circumstances of youth and young girls in particular;

- 5.1.5. promotion of youth in private sector competition, participation in export oriented industries and key areas which need strong social entrepreneurship;
- 5.1.6. recognition of dire situation of youth economic development in rural areas; and
- 5.1.7. Promotion and custodianship of transparency, accountability and accessibility.

## **ARTICLE SIX**

### **6. MEMBERSHIP**

The Agency shall reservedly invite membership and maintain a membership list of individuals between the ages of 15 and 35 and organisations pursuant to terms of membership stipulated in the entire article of membership as follows;

- 6.1.** Registration of the individual's details into the record of members' book kept by the Secretary General.
- 6.2.** Invitation and acceptance of organised youth groups (companies, cooperatives or otherwise) into the Agencies programmes shall automatically cause the participants of the programmes to be members (individually and in associate) of the Agency for the duration of their participation and shall then expire subject to their affiliation in terms of clause 6.3 and 6.6 below.
- 6.3.** An annual affiliation fee of M30.00 for membership shall be paid to the YEDA Statutory Fund by the individual wishing to join the Agency as a full time member.
  - 6.3.1. The Secretary General shall cause to be kept for presentation in EC, a list of proposed free individual membership requests in pursuance of article 5 of YEDA policy to afford inclusion of deserving underprivileged youth.
- 6.4.** The above set amount is an annual subscription and is subject to change every year with prior notification and ratification to the members.
- 6.5.** Failure to pay the above fee from specified timeframe on any onetime without reasonable course as may be decided by the presidium shall cause a

suspension and an ultimate exclusion of such a member into the council, subject to the YEDA-EC final approval and appeal to the disciplinary committee.

**6.6. Associate Membership and Affiliations**

6.6.1. The Agency shall provide associate membership to other organisations wishing to subscribe to the Agency with an objective of inheriting the Agency's benefits as outlined in the objectives by adhering to the outlined application and registration procedure which will be determined by the YEDA-EC.

6.6.2. Registration of the organisation's details into the record of associate members' book kept by the Secretary General together with a resolution of the executive body outlining an interest to join the Agency.

6.6.3. An affiliation fee of M250.00 for membership shall be paid to the Agency by the organisation wishing to join.

6.6.4. The above set amount is an annual subscription and is subject to change every year with prior notification and ratification to the associate members.

6.6.5. The extent of benefits exhaustion from the Agency by the associate member shall be determined by the presidium as per registration.

6.6.6. Failure to pay the above fee from specified timeframe on any onetime without reasonable course as may be decided by the presidium shall cause a suspension and an ultimate exclusion of such an associate member into the council, subject to the YEDA-EC final approval and appeal to the disciplinary board.

6.6.7. The copy of each associate member's by-laws shall remain with the Agency to ensure that the associate member still serve the purpose of their existence as specified in their objectives bearing its registration as a relevant organisation into the Agency.

**6.7.** The Agency shall also affiliate with relevant national and international bodies whose objectives are similar or in line with the ones outlined herein and shall further seek strategic membership with organisations that form its advisory board.

**6.8.** The YEDA-EC shall remain the sole custodian of the membership of the agency with powers to accept, reject suspend or expel any individual or associate member,

the decision which will later be taken for discussion at the presidium which will give a final verdict to accept or reject the decision of the YEDA-EC.

6.8.1. Notwithstanding the decision of the Presidium, the affected member shall remain subject to the YEDA-EC decision until a different outcome is reached at the next nearest sitting of the Presidium.

## **ARTICLE SEVEN**

### **7. BENEFITS OF AFFILIATED MEMBERS**

**7.1.** Effective from payment of membership fee and acceptance of free membership, a member shall be entitled to all the benefits of the Agency as may be deemed by the YEDA-EC with reference to clauses affecting of the usage of the Statutory Fund and YEDF, which in turn makes the aims and objectives of the Agency the direct benefits of the members and also subject to the provisions of the Financial Regulations contained herein.

## **ARTICLE EIGHT**

### **8. DISCIPLINARY CODE (DC)**

**8.1.** The Agency shall adopt a code of conduct that shall be binding on all its members.

**8.2.** The code of conduct shall outline proper conduct of committee members and employees of the Agency, it shall also establish a set of ethics or cause to determine in a circumstantial manner, or when a need arise behaviours it deems unethical or out of conduct whether or not is clearly stipulated in the ethics or code of conduct of members.

**8.3.** The YEDA-EC and the institutional advisory board shall form the disciplinary board or an Ethics Committee headed by a member chosen by the members of the disciplinary board, the members of the executive committee may not chair the disciplinary board.

- 8.4.** The Agency may suspend a member who is under investigations for misconduct. This should be read together with rules provided for by the DC regulations and the Code of Conduct.
- 8.5.** The Agency shall have the right to dismiss a member by majority vote of all members of YEDA-EC minus 1, subject to an appeal to the presidium Meeting. This notwithstanding provision of any by-laws contained in the code of conduct or the regulations of the DC board.
- 8.6.** The D.C shall recommend fair penalties to the YEDA-EC on breaching the disciplinary rules and regulations that are within its jurisdiction.
- 8.7.** The YEDA-EC may suspend its member in respect of whom investigations are being made if the said member is likely to interfere with such investigations.
- 8.8.** A member of YEDA-EC who has been adversely affected by any decision taken in terms of clause 8.6 may recourse to the presidium.

## **ARTICLE NINE**

### **9. ESTABLISHMENT OF THE YOUTH ENTREPRENEURSHIP DEVELOPMENT AGENCY**

- 9.1.** In respect of the aims and objectives being a need for organisation, the Youth Entrepreneurship Development Agency is established.
- 9.2.** The management and control of the Agency shall be vested in the Agency Executive Committee and the Presidium with the following power sharing schedule:
- 9.2.1. The Presidium shall propose constitutional matters seeking alteration of the constitution before the Annual general meeting of all members, all other matters ordinarily appearing as per the provisions of the aims and objectives and functions shall solely be decided by the Executive Committee in trust of all members.
- 9.2.2. The Executive Committee shall be the supreme decision making body of the Agency on all matters and shall make recommendations of motions to the presidium of amendments of the terms of reference of this constitution.

### **9.3. COMPOSITION OF YEDA EXECUTIVE COMMITTEE**

9.3.1. The YEDA-EC shall consist of the following officials in order of seniority:

1. President
2. Vice President 1: Business Creation
3. Vice President 2: Institutional support
4. Vice President 3: Business and Organisational Finance
5. Secretary General
6. Treasurer
7. Industry Secretariats: Representation by the Chairpersons of all created ISs
8. Vice secretary
9. Press and Public Relations Secretary

9.3.2. Any number needed to bring women representation to a thirty percent ratio (30%) in the YEDA-EC.

**9.4.** The Executive or (quorum) of the YEDA-EC shall be executable in presence or agreement with at least; the President, The secretary or Vice, the Treasurer and any 2 Industry Secretariat chairman representatives.

### **9.5. COMPOSITION OF THE AGENCY PRESIDIUUM**

9.5.1. **The Executive Committee**

9.5.2. **All members of the Industry Secretariat** who shall be three (3) per identified industry comprising of:

1. The Chairperson
2. Secretary
3. Administrator

9.5.2.1. The identified Industries shall be in:

1. High Value Mechanics, Electronics, and Textiles Manufacturing
2. Real Estate Development, Construction and Mining
3. Retail and Merchandise, Agriculture and Food processing
4. Technology Services Industries,
5. Hospitality and Creative Industries

9.5.3. **All Committee members of the Institutional and District Centres for Youth Entrepreneurship Development (CeYED):**

1. Chairperson



- a. Vice Chair 1
- b. Vice Chair 2
- c. Vice Char 3
2. Centre Treasurer
3. Executive Secretary
4. CeYED Public Relations Officer

9.5.4. **Any other Government or development organisation(s)** which the President may recommend to YEDA-EC for inclusion in any presidium sitting with full voting rights with a representation of 1 official each.

9.5.5. **The Advisory Board** comprising of the indicated number of representatives from the following organisations in cases where they continue to exist:

1. Banking Association of Lesotho-4
2. Partial Credit Guarantee Secretariat-1
3. Lesotho National Development Corporation- 2
4. Government Standards office-1
5. Lesotho Business Council-2
6. Lesotho Chamber of Commerce and Industry-1
7. Private Sector Foundation-1
8. Basotho Enterprise Development Corporation-1
9. Youth Entrepreneurs Forum-2
10. Representatives from government Ministries responsible for;
  - a. Youth-1
  - b. Development Planning-1

9.5.5.1. Any credible statesman whom the President may recommend to YEDA-EC as organisation's Patron and chair of the Advisory Board and Chair of the Presidium in absence of;

9.5.5.2. Any identifiable National Sovereignty Custodian whom the President may recommend to the YEDA-EC as a custodian and Presidium Chair.

## **9.6. DUTIES AND RESPONSIBILITIES OF OFFICE BEARERS; YEDA-EC, THE INDUSTRY SECRETARIAT, CeYED COMMITTEE, AND THE ADVISORY BOARD**

### **9.6.1. The President**

The President shall:

- a. Prepare, convene and chair all meetings of the YEDA-EC and the Presidium in absence of the office bearers in clauses 9.5.4.1 and 9.5.4.2;

- b. Be the Principal Accounting Officer of the YEDA-EC and he/she shall also be the Chairperson of the YEDA-EC, and consequently ensure appropriate discipline within the Agency and YEDA-EC;
- c. Represent the Agency at all official functions and visits, and attend invitational national, regional and International Committees on behalf of the Agency and to report the outcome of such meetings to YEDA-EC and the Presidium;
- d. Liaise with the institutional representatives on the implementation of policy initiatives and to keep the Presidium informed of initiatives;
- e. Lead all national, regional and international negotiations on behalf of the Agency, participate in seminars, and formulation of any working relationships on behalf of the Agency;
- f. Liaise with community groups and organisations to promote the interests and welfare of the Agency members;
- g. Together with the Secretary General and the Treasurer shall be the signatories of the Agency treasury;
- h. Delegate any of the Vice Presidents to carry out his/her duties when necessary.
- i. Prepare and present quarterly and annual reports to the Annual General Meeting of the Agency and forward such reports to relevant stakeholders.
- j. Review and assign duties to members of the Executive Committee.

#### 9.6.2. **Vice President 1: Business Creation**

1. The Vice President 1 shall be an officer in the presidency office to help the President implement his duties and specifically to;
  - a. Chair all Agency general meetings with members and ensure that the terms of reference of the Agency affiliates are in conformity with the Agency's Terms of Reference including any provisions of affiliation to the Agency.
  - b. Act in the absence of the President and ensure adherence to the procedures, rules and regulations as set by the Agency prescribing the conduct of all structures.
  - c. Advice on all legal documents and contracts entered into by the Agency.
  - d. Co-ordinate the work of the associate members to the Agency
  - e. Promote the profile of all associate members
  - f. Be responsible for the organisation and promotion of the Agency.
  - g. Keep adequate archives of the Agency.
  - h. Manage and be directly responsible for the implementation of **AIM 1** of the aims and objectives of the Agency.
  - i. Assume tasks as may be directed to him by the President from time to time.

#### 9.6.3. **Vice President 2: Institutional Support**

1. The Vice President 2 shall be an officer in the presidency office to help the President implement his duties and specifically to;
  - a. Chair all Agency-general meetings in absence of Vice-President 1 work with other Vice-Presidents to perform all other duties in equal sharing capacity as outlined in Vice-President 1 duties as their own;
  - b. Manage and be directly responsible for the implementation of **AIM 2** of the aims and objectives of the Agency.

#### 9.6.4. **Vice President 3: Business and Organisational Finance**

1. The Vice President 3 shall be an officer in the presidency office to help the President implement his duties and specifically to;
  - a. Chair all Agency-general meetings in absence of Vice-President 1 and 2 works with other YEDA-EC members to perform all other duties in equal sharing capacity as outlined in Vice-President 1 and 2 duties as their own;
  - b. Manage and be directly responsible for the implementation of **AIM 3** of the aims and objectives of the Agency.

#### 9.6.5. **Secretary General**

The Secretary General shall:

- a. Maintain and update the policy document of the Agency, and co – ordinate the affairs of the YEDA-EC.
- b. Oversee and facilitate the implementation of resolutions taken by both the Agency Executive Committee and members;
- c. Organise the AGM and liaise with the chairs to ensure the timely production of Agenda and other relevant documents and papers for discussion.
- d. Be in charge of and co – ordinate all representatives of the members in various administration structures.
- e. Ensure adequate procedures are in place for the booking of facilities and the issuing of permits for use of facilities and services required,
- f. Prepare and present quarterly and annual reports of his or her office to the AGM.
- g. Record or instruct his Vice or his appointed officer to record minutes during YEDA-EC, Presidium, the Agency general meetings or the Annual General Meetings and keep documents thereof, and take charge of all correspondence of the YEDA-EC and be responsible for proper filling of all Agency official correspondence and relevant documents.

- h. Attend stakeholder meetings upon direction of the President and with invitation from those stakeholders.
- i. Liaise with the President to prepare and oversee an annual training plan for the Agency members and short term training plan for YEDA-EC, or organisation's Presidium committee members.
- j. With the three Vice Presidents, be responsible for Agency archives.
- k. Shall be a signatory to all cheques for disbursing Agency funds in accordance with the Agency Financial Regulations.
- l. Generally implement duties assigned to him/her by the President and carryout duties assigned to the Secretary General elsewhere in the terms of reference of this constitution.

#### 9.6.6. **Vice Secretary**

The Vice Secretary shall:

- a. Deputise the Secretary General and help the Secretary General Implement duties assigned to him or appearing by default in the terms of reference of this constitution.
- b. Act in the absence of the Secretary General except for being a signatory to all cheques.

#### 9.6.7. **Treasurer**

Treasurer shall:

- a. She/he shall keep all finances accruing to the Agency and propose to the YEDA-EC a registered commercial bank to safeguard all monies on behalf of the Agency.
- b. Be the signatory to all cheques for disbursing Agency funds in accordance with the Agency Financial Regulations.
- c. Keep and cause to be kept all funds, financial records and books entrusted to the Agency General in accordance with the Agency Financial Regulations.
- d. Prepare and present monthly financial statement and reports to YEDA-EC and quarterly reports to the Agency Presidium and present a fiscal budget to the YEDA-EC and when approved, to the Agency General meeting.
- e. Keep and cause to be kept proper books of accounts, and ensure that systems are in place for regular financial reports to be presented to the finance committee.

- f. Treasurer shall prepare and pay Per Diems to the members of the YEDA-EC or any Committee of the Agency on approved trips in line of their assigned duties.
- g. Prepare and present financial statements and report to Agency and in any meeting of the YEDA-EC at the Presidium, the AGM, SGM, OGM or when relinquishing office.
- h. Prepare Present an organisation fiscal budget and prepare reports on the Agency budget and outline committee expenses at any meeting of the YEDA-EC, and report any areas of concern and financial irregularities to YEDA-EC or if appropriate to the Audit Subcommittee.
- i. Consult over and prepare budgets for members' activities and development.
- j. Recommend auditors to YEDA-EC for approval.
- k. Be in charge of and implementation of the Financial Regulations of the Agency and advise the YEDA-EC of any proposed changes thereof.

#### 9.6.8. **Press and Public Relations Officer**

The Press and Public Relations officer shall generally maintain visibility and clear understanding of the Agency's mandate with the Press, Stakeholders and the Public in general and specifically;

- a. Ensure an effective communication strategy is in place, and be responsible for its implementation.
- b. Act as a public relations officer for the Agency; liaise with the media, government and other relevant bodies about the duties and mandate of the YEDA-EC.
- c. Ensure sufficient publicity is distributed and encourage successful participation, knowledge and understanding of the mandate, Aims and Objectives, Policies, and Functions of the Agency as well as participation of all members in general meetings.
- d. Implement his duties at CeYED and coordinate the work of the CeYED Public Relations Officers.

#### 9.6.9. **Industrial Secretariat**

The Industrial Secretariat committee members are responsible to the YEDA-EC and shall be the Agency's implementing body on programmes and initiatives involving their specific or joint sectors of industry, and they shall specifically;

- a. Share in order of seniority, duties listed below in terms of **Management, Registrations and Affiliations, and Administration** across board between the **Chairperson, Secretary and Administrator** respectively.
- b. Participate in the YEDA-EC through representation by the chairman of the Industrial Secretariat.
- c. Work with the Agency to ensure that industrial training, development, registrations, affiliation requirements are met by members of the Agency.
- d. Acquire and manage information for dissemination to the members of the Agency in their relevant industries.
- e. Source and recommend to the YEDA-EC industrial expertise required for sector development for all members of the Agency.
- f. Identify and recommend to the YEDA-EC, national organisational affiliations per industry.
- g. Work together with the Centres' Committees and YEDA-EC in achieving aims and objectives of the organisation.
- h. Handle at first-hand new registrations and keep up to date, registrations of members into the Agency and recommend those for acceptance to the Secretary General.
- i. Liaise with the Press and Public Relations Secretary to jointly act as direct Public relations Office for their particular industry.
- j. Encourage participation and new membership into the organisation through targeted lobbying per sector.
- k. Generally manage industrial affairs of the sector and make necessary recommendations to the YEDA-EC about youth entrepreneurship development areas, programs of action, craft industrial strategic plans, help lobby for improved industrial policies,
- l. Work with the Secretary General to recommend to the YEDA-EC, necessary partnerships, and joint industry Initiatives.

#### 9.6.10. **District or Institutional CeYED Committee**

The CeYED Committee shall generally be responsible for implementation of the Agency and YEDA-EC duties at institution or district level to ensure equal opportunity disbursement in all areas of youth entrepreneurship development their area of placement.

1. **Chairperson** – She/he will be head of the Centre and the CeYED Committee, be responsible to the President and help implement his/her duties as directed at Institutional and District Level and formulate a combined reporting schedule for the centre to the President.



5.

**9.6.11. The Advisory board**

- a. Under the leadership of the Agency Patron and the Presidium Chair respectively, members of the Agency Advisory Board as described in the Presidium shall serve as organisation counsellors and a steering body to ensure that the Agency adheres to its mandate as stipulated in the functions, objectives and duties of office bearers.
- b. The Advisory board shall propose recommendations solely or collectively with the Agency executive committee and/or the Presidium for better implementation of the Functions, Aims and Objectives of the Agency.
- c. The Advisory board shall also provide counselling to the leadership of the Agency to help them achieve their desired goals of organisation.

## **ARTICLE TEN**

### **10. CALLING THE ELECTIONS**

**10.1. Elections of the CeYED Committee, Industrial Secretariat and Executive Committee and their Term of office**

**10.2.** The CeYED Committee members, Industrial Secretariat members and the Executive committee members shall be elected in that order respectively in the election year, and serve for a term of 3 years in office before the elections of new committees.

**10.3.** The CeYED Committee members shall be elected at the Institution or district level by all registered members affiliating directly to that institution at the time of elections. The Elections will then follow the election process contained herein and the direction of the Elected Electoral Council where the process and rules are not immediately clear.

**10.4.** The IS and YEDA-EC members shall be elected at an AGM or SGM convened for the purpose and strictly following the prescribed elections procedure contained herein.



- 10.5.** An elected executive committee member can serve for only two terms in office consecutively, save for members co-opted in a continuing term or serving in an interim committee and may run for elections after a further term out of office and also save for the members who may only be affected by this clause if they are in Chairperson Position which has a representation in the executive committee.
- 10.6.** The Elections of the committee members shall be held on or before end of March of their third calendar year, on a day deemed fair for a democratic election by the E.C. March also signals the beginning of the organization’s fiscal year.
- 10.7.** The elections of the CeYED Committee members shall precede those of the Industrial Secretariat by a day and those of the executive committee members by 2 days.
- 10.8.** In exception of the Patron and the Presidium Chair, members of the Advisory Board shall be called back every three years concurrent with the term of office of the YEDA-EC, the Industrial Secretariat and the CeYED Committee members and their reinstatement as members representatively rests solely on the discretion of the sending organisation and the acceptance of the sent individual by the YEDA-EC, the above statement is subject to the provisions of the Motion of No Confidence contained herein in which the latter case shall also apply.

**10.9. Completion of a nomination form**

- 10.9.1. For CeYED Committee Positions, a secret ballot shall be held by all registered members of the CeYED for all positions in the CeYED Committee and all members of the CeYED shall be entitled to nominate a maximum of three (3) persons per position and vote.
- 10.9.2. For Industrial Secretariat Positions, a secret ballot shall be held by all CeYED Committee members all positions in the Industrial Secretariat and all members of the Agency shall be entitled to nominate a maximum of three (2) persons per position and vote.
- 10.9.3. Each qualifying member in a given election shall be entitled to elect one person per position in all open positions and after the publication of the nominees list, the candidate who shall possess highest and at least forty percent of the vote after a successful election shall be declared winner of the election by the Electoral Council.

- 10.9.4. For Executive Committee positions, the nomination form shall require the signature of all Industrial Secretariat chairpersons of the defined industries in concurrence to the current and previous year membership of the nominee; the full names of the nominee and prove of qualifying age cut of 35 years at election year, together with his/her agreement to stand for election and the undertaking that if elected he/she will carry out the remit of the post.
- 10.9.5. Nominees must be those individuals who are members of the Agency, or associate member representative only, in which the latter case he/she shall relinquish power in that other organisation as its representative; however, non-members or suspended or unpaid up members may not stand for any elections of the Agency committees or subcommittees. A maximum of three (3) nominations per position will be accepted by the returning officer from qualified nominating members.
- 10.9.6. Nominations shall only be made by the affiliated members.
- 10.9.7. Nominations for positions on the executive committee will open and close on time schedules to be determined by the electoral council, the nominees shall equal the number of positions to be filled in the executive committee.
- 10.9.8. The members of the Industrial Secretariat are mandated to nominate and vote on behalf of all members, the members of the executive committee, however, nominations may include any Agency member but not those who are already part of the freshly elected Industrial secretariat or CeYED Committee.
- 10.9.9. As soon as possible after the receipt of all properly completed nomination forms, a full list of candidates will be disseminated among voting IS members and all present Agency members and the Advisory Board and they shall remain on display until the results have been officially announced.
- 10.9.10. The vote of the Industrial Secretariat members shall be counted and only two thirds of the total votes shall be accepted to constitute the Agency Executive Committee.
- 10.9.11. The remaining one-third of the vote shall come from the Advisory Board and one representative per associate member in similar expressions as in clause 10.9.10, and the one-third vote shall be cast from the same list of nominees produced by the Industrial Secretariat members.
- 10.9.12. Successful candidates are those who will be declared victorious from the combination of the two elections by the Electoral Council.

## **10.10. How to vote**

10.10.1. The elections shall be held by a secret ballot enlisting candidates and their positions. The Returning Officer shall ensure that all those eligible to vote may do so.

### **10.11. Counting of Votes**

10.11.1. The returning officer shall inform candidates of the time and venue of the elections. The returning officer should be assisted in the count by agreed observers by the Electoral council together with the YEDA-EC. The returning officer may also be assisted by a number of individuals appointed by the Presidium.

10.11.2. Counting should start 15 minutes after the closing of polling stations.

10.11.3. Once the votes have been counted, and only in the case of the YEDA-EC elections, the votes must be kept for a period of one week after which the Returning Officer will publish a report and submit it to the outgoing and the newly elected YEDA-EC. Any candidate may, during this period and with clear concern request the Returning Officer to cause all or any of the ballot papers dealt with during that count to be re-examined and re-counted.

10.11.4. Nothing in this paragraph shall oblige the Returning Officer to re-count the same ballot papers at the same stage of counting more than twice or to re-count the ballot papers after he/she has prepared his/her report after the lapse of the prescribed one week period in clause 10.11.2.

### **10.12. Declaration of Results**

10.12.1. The results of the election shall be declared by the Returning Officer. Candidates should be made aware of the agreed declaration procedure. Results will be declared provisional on election day and after no valid request of re-examination is received after a period of one week then the Returning Officer shall announce the results final with no further intrusions if she/he is satisfied that all complaints have been dealt with.

10.12.2. A list of the successful candidates shall be made available within one working day of the declaration of the result.

### **10.13. By-Elections**

10.13.1. Should any Executive Committee position with the main election which are; The President, Treasurer and Secretary General remain vacant or should an Executive Committee member resign or be dismissed or

relinquish office in accordance with the Agency's constitution or any enforceable law, a by-election shall be held. The by-election shall, as far as possible, will be run in accordance with the regulations contained herein.

10.13.2. By-elections shall also be held in a case whereby a member of the YEDA-EC ceases holding office by virtue of death or other natural causes.

10.13.3. Other members of YEDA-EC or any of the Agency Committees will be replaced by co-option should they cease to hold office in circumstances mentioned in clause 10.13.1. The Co-option in this regard shall then be executed by the YEDA-EC in all other committees of the Agency, these include IS and CeYED Committees.

## **10.14. The Agency Election Regulations**

### **10.14.1. Objects:**

The objects of these regulations are to provide for:-

10.14.2. A method of election which conforms with the principles of fairness, participation and democracy;

10.14.3. Maximising the flow of information and ideas between the members and the candidates;

10.14.4. Maximising the opportunities for members participation and control in the Agency;

10.14.5. Impartial administration by the Returning Officer; and

10.14.6. Administrative review of the actions of the Returning Officer by a neutral tribunal and observer bodies invited.

## **10.15. Administration of Elections**

### **10.15.1. Introduction**

10.15.2. The election is to be administered by the Returning Officer.

10.15.3. Appointment and removal of Returning Officer.

10.15.3.1. The Returning Officer must be appointed by the Agency Presidium and may not be removed from the office except by the said body.

### **10.15.4. Qualifications of Returning Officer**

10.15.4.1. The Returning Officer must not otherwise be:

a. A member or employee of the Agency;

b. A descendant, sibling, cousin, aunt, uncle, spouse, domestic partner of any sitting member of the Agency;

- c. A candidate in the Agency's preceding elections or with interest in the next elections completing the administrative election calendar of the Agency.

**10.15.5. Deputies and assistants of the Returning Officer**

10.15.5.1. The Returning Officer may be assisted by such deputies and assistants as the Returning Officer may authorise for the purpose and call for appointment as per clause 10.15 of Administration of Elections.

**10.15.6. Independence of the Returning Office**

10.15.6.1. The Returning Officer is not subject to instruction by any member or employee of the Agency or its Sub-Committee and the election must be conducted in such manner as the Returning Officer may direct in reference to the whole article 12 of calling the election.

**10.15.7. Timing**

10.15.7.1. The Electoral Council shall determine the timing of all the Agency elections in accordance with provisions of this constitution.

10.15.8. The ballot papers may not sleep over or take more than a day before opening or counting by whatsoever reasons.

10.15.9. Failure to do so shall cause an emergency forum and a query by all candidates and the returning officer and/ his assistants and may lead to annul of such ballot papers as may be decided by a simple majority vote of all parties above.

**10.15.10. Notice of Election**

10.15.11. The Returning Officer must announce the election by causing a notice of election to be published one week before the date set for elections. The Notice shall be posted at the prescribed notice board and send to all members agreed form of communication.

**10.15.12. Contents of Notice of Election**

10.15.12.1. The notice of Election must:

- a. List the offices to be filled and the number of persons to be elected to each office.
- b. Specify the form of nomination; and

- c. Fix a date, time and place at which nominations must reach the Returning Officer.

10.15.13.       **Nominations**

- 10.15.13.1.       The Returning Officer must not accept a nomination unless:
- a. It is in writing in the form specified in the notice of election or to the like effect;
  - b. It is signed by the required number of IS members where applicable
  - c. Each candidate included in the nomination is eligible to hold the relevant office and has signed a consent to be nominated;
  - d. It is received by the Returning Officer before the time fixed by the notice of election for the close of nominations; and
  - e. It clearly specifies the office for which each candidate is nominated.

10.15.14.       **Receipt of Nominations**

- 10.15.14.1.       The Returning Officer must cause nominations to be received at the YEDA-EC office, assigned to him/her, virtually or physically.

10.15.15.       **Unopposed Candidates**

- 10.15.15.1.       If, at the close on nominations, the number of valid nominations is not greater than the number of persons to be elected to an office, the Returning officer must declare the nominees elected.

10.15.16.       **Opposed Candidates**

- 10.15.16.1.       If, at the close on nominations, the number of valid nominations is greater than the number of persons to be elected to an office, the Returning officer must cause a ballot to be held.

10.15.17.       **Determination of Voting-paper Order**

- 10.15.17.1.       The Returning Officer is to determine by lot the order of the lists of candidates on the voting paper immediately after the close of nominations.
- 10.15.17.2.       If a nomination is defective the Returning Officer must notify the defect to the first available candidate included in the nomination; defects in a nomination may be remedied within a stipulated

time in the elections day after the close of nominations or immediately of the notice of defect whichever is later.

10.15.18.       **Announcement of candidates**

10.15.18.1.       The Returning Officer must announce the candidates for each office by causing a list of candidates (including unopposed candidates) to be published in the election publication sent to all Agency members through the agreed form of communication.

10.15.19.       **Withdrawal of Nominations**

10.15.19.1.       **Voluntary withdrawal of nominations**

10.15.19.2.       A candidate may withdraw from the election by giving a written withdrawal to the Returning Officer before the ballot papers are printed.

10.15.19.3.       **Automatic withdrawal of candidates.**

10.15.19.4.       A candidate elected to his/her preferred office is to be withdrawn automatically from any other election. If simultaneously elected, relinquish power to the next candidate with number of votes.

10.15.19.5.       A candidate shall be declared not eligible for elections if he/she did not present his/her manifesto to the Agency members in case of the Executive Committee elections.

10.15.20.       **Election Day**

10.15.20.1.       This shall be a day that will attract the largest number of voters preferably a nonworking day school day to amplify fairness and transparency particularly for Executive Committee elections.

10.15.21.       **Electoral Council**

10.15.21.1.       The E.C. shall be formed by the Agency Presidium.

10.15.21.2.       The E.C. shall be responsible for the running of the elections and counting of votes subject to powers of the Returning Officer and his/her deputies.

10.15.21.3.       It shall be in the office for a period of two months and chaired by the Returning Officer.

10.15.22.       **Duties Of the Electoral Council**

- 10.15.22.1. It shall conduct free and fare elections.
- 10.15.22.2. It shall ensure that the voting materials are available on time.
- 10.15.22.3. The E.C shall inspect the polling stations on the day of the elections.
- 10.15.22.4. Counting of votes is vested in the powers of E.C.

10.15.23. **E.C. Remuneration**

- 10.15.23.1. E.C. shall be remunerated on a standard rate that maybe determined by YEDA-EC.

10.15.24. **Inauguration Of The YEDA-EC**

- 10.15.24.1. The inauguration of the incoming YEDA-EC shall be held within 2 weeks after the publication of the final elections results.
- 10.15.24.2. The Advisory board shall inaugurate the members of the incoming YEDA-EC

**10.16. Transition**

- 10.16.1. Following any election, there shall be an official handover, and the President of the Out-going YEDA-EC in the presence of other members of the out-going YEDA-EC shall orientate the In-coming YEDA-EC for a maximum of two weeks.
- 10.16.2. Official handing over shall be done immediately after the inauguration day.

**ARTICLE ELEVEN**

**11. TERMS OF OFFICE**

- 11.1. A member of the Agency Committee shall cease to hold office upon realisation of the following;
  - 11.1.1. When the Agency Committee in which a member was serving was dissolved.
  - 11.1.2. When a member ceases to subscribe to the organisation.
  - 11.1.3. When a member has tendered the resignation, which shall be effected forty – eight (48) hours to the Agency Executive Committee as the case maybe and provide a report within seven days.
  - 11.1.4. If the YEDA-EC finds that any committee member including those of YEDA-EC fails without reasonable cause to carry out such duties as are assigned him or her.



- 11.1.5. A member who is suspected either by committee members or the YEDA-EC of being ineffective or failing to perform duties as expected shall be called and warned by the YEDA-EC in not more than three (3) times before taking further action.
- 11.1.6. If the member renders it impossible for the Agency Committee he/she is serving in to operate.
  - 11.1.6.1. Such member will be warned by the YEDA-EC in not more than three (3) times before taking further action.
- 11.1.7. The YEDA-EC may suspend its member in respect of whom investigations are being made if the said member is likely to interfere with such investigations.
- 11.1.8. A member of the Agency Committee who has been adversely affected by any decision taken in terms of only clauses 11.1.5 – 11.1.7 may recourse to the Advisory Board in suspension and then to the Presidium next closest meeting for expulsion. Both bodies shall either uphold or reject in consultation with the YEDA-EC its decisions on the affected member.
- 11.1.9. The Agency Committee members shall otherwise be in office for three (3) years counting from the one in which the Agency was formed or elected.

## **ARTICLE TWELVE**

### **12. FINANCIAL REGULATIONS**

- 12.1.** The President, Secretary General and the treasurer will be the signatories.
- 12.2.** All officers and members of executive committee are personally and pecuniary responsible for performance of the financial duties of their office for the proper collection and custody of all members funds receivable by them and for any inaccuracies in the accounts rendered by them or under their authority.
- 12.3.** If at any time the Agency sustains a loss by reason of the neglect of any officer or fault of any officer or if improper payments of the Agency funds are made by any officer, she/he shall be personally liable for that loss.
- 12.4.** Improper payments shall be those which are deemed out of line of duties of any office bearer(s) and/or unauthorized use of such.
- 12.5.** The treasurer shall prepare consolidated estimates for budget presentation as part of the Agency's fiscal policy.
- 12.6. Benefits Of Affiliated Members**
  - 12.6.1. Effective from payment of membership fee and registration to the council, members shall be entitled to the benefits of the Agency in

accordance with the stipulated provisions of membership as may be decided by the executive committee with reference to clause **4.2.3**.

## **12.7. Usage of the Agency Funds**

### **12.7.1. Usage of the Statutory Funds**

The fund shall solely be used to support management and administration of the Agency to achieve the aims and objectives of the organisation under the direction of the financial regulations contained herein.

### **12.7.2. Control and Use of the YEDF**

The Fund shall be under the control of the Executive Committee.

12.7.2.1. The Uses of the Fund shall, subject to availability of funds and the set priority areas as directed by the Executive Committee be to support activities in terms of clause 4.2.1 of the establishment of the YEDF and expressively to provide for the following;

- l. Facilitate for provision of loans and guarantees for on-lending to youth enterprises;
- m. provide for equity participation by the Agency in youth led enterprises;
- n. provide for establishment and support of entrepreneurship incubation centres and training nationally;
- o. provide for promotion of entrepreneurship through support of youth business councils and/or organizations in institutions of higher learning and or national societies in promotion of youth entrepreneurship;
- p. attract and facilitate investment in micro, small and medium enterprises oriented industrialization;
- q. attract and facilitate investment in infrastructure that will be beneficial to youth led enterprises;
- r. support youth led micro, small and medium enterprises to develop linkages with large enterprises;
- s. facilitate marketing of products and services of youth enterprises both in the domestic, regional and international markets;
- t. facilitate and attend regional, and international conventions and to initiate fundraising drives to attract finance and investment in objects, functions of the agency and in direct youth enterprises' investment;

- u. provide or facilitate for provision of technical expertise and resources for issues of adherence to set national and international quality assurance standards of youth led enterprises;
- v. Facilitate employment and employability of youth in local and international markets.

## **12.8. Remuneration Of Office Bearers**

12.8.1. The office bearers of the Agency will currently not be remunerated, except in a case where the office bearer is also serving as the Agency Employee. However the Agency will keep a menu of allowances and benefits for the members of the Agency Committees that are subject to change with regard to the financial status of the Agency as advice by the Treasurer and decided by the Executive Committee.

## **12.9. Benefits and Allowances**

12.9.1. The Executive Committee shall, with advice of the Treasurer, fix a schedule of sitting allowances for All Committees of the Agency and cause such to form part of the financial regulations.

12.9.1.1. The sitting allowances may however, despite permitting financial status of the Agency, not exit those of similar or comparable organisations locally.

12.9.2. The Executive Committee members, the Industrial Secretariat, the members of the Advisory Board (with recommendation from their organisation) and the CeYED Committee members shall be subsidised per-diem on prescribed special occasions, international official trips and on extra Agency work which demand extra office ours.

12.9.2.1. The determination in all of the above shall be decided by the YEDA-EC.

12.9.2.2. The percentage of the per-diem shall be determined by the YEDA-EC in advice of the Treasurer of the actual expenses incurred plus an occasional agreed hourly paid time.

12.9.3. For international travel, the YEDA-EC shall keep a list of country day allowance denominated in US Dollars currency in percentage thresholds, and stretched chronologically between the Presidium Chairperson, Advisory Board Chairperson, the President, Vice-Presidents, Secretary General, members of the YEDA-EC, Industrial Secretariat, Members of the Advisory Board, Senior Management of Staff, CeYED Committee members, and Agency and CeYED Staff members respectively and cause the arrangement to be part of the Financial Regulations.

12.9.3.1. Committee members who attend international travel and appear in more than one classification in clause 12.9.3 above may only be subsidised per diem on one that appears appropriate or senior to the other where appropriateness is not immediately clear to the Treasurer.

## **ARTICLE THIRTEEN**

### **13. APPOINTMENT OF THE EXECUTIVE DIRECTOR**

**13.1.** The members of the Executive Committee may appoint one of their own, President or Chairperson of the Executive Committee to serve as an employee of the Agency and Executive Director or instruct the president or Chairperson of the Committee to Appoint one and determine his/her terms of reference, duties, and cause him to report back to the YEDA-EC.

13.1.1. The Executive Director shall be responsible for appointment of all other Agency and CeYED staff and consult the YEDA-EC in appointing Senior Management of the Agency.

### **13.2. APPOINTMENT OF THE DEPUTY DIRECTOR(S)**

13.2.1. The members of the Executive Committee may appoint one or some of their own; one or more of the Vice-Presidents of the Executive Committee to serve as an employee of the Agency and Deputy Director of the Agency responsible to the Executive Director, or instruct the president or Chairperson of the Committee to appoint such, determine the number and discuss with the Executive Director, the duties of the Deputy Director(s).

### **13.3. Employment contract and performance agreement of Executive Director**

13.3.1. The YEDA-EC must conclude a written performance agreement with the Executive Director within reasonable time not exceeding that of an acting Executive Director after the appointment of the Substantive Executive Director; and

13.3.2. Thereafter, annually within one month of the commencement of each financial year.

13.3.3. The performance agreement must include;

- a. measurable performance objectives and targets that must be met, and must provide for the time-frames within which those performance objectives and targets must be met;

- b. standards and procedures for evaluating performance and intervals for evaluation; and
- c. the consequences of substandard performance which could cause a termination of contract and must amongst others must indicate that;
- d. The terms of reference in the contract are wholly subordinate and subject to the provisions and decisions taken as per the provisions of this constitution.

13.3.4. The employment contract of the Executive Director must incorporate in an appropriate form, provisions of the Public Financial Management and Accountability Act of the Country with regard to officers in organisations which are in control of the public funds by any means of working relationships with the Government.

#### 13.3.5. **Duties of Executive Director**

13.3.5.1. The Executive Director is responsible for , amongst others:

- a. Exercising an appropriate level of leadership for the organisation;
- b. Effectively communicating a vision, management philosophy, and business strategy to the Agency's employees;
- c. The general and active management of the business affairs of the Agency;
- d. The general supervision and direction of all other officials of the Agency;
- e. Developing and recommending to the YEDA-EC a sound long-term strategy for the Agency that meets the needs of the Agency members, government, communities, employees, and other stakeholders;
- f. Ensuring that the strategies of the Agency are effectively implemented with timely progress towards strategic objectives;
- g. Obtaining and allocating from the YEDA-EC resources consistent with strategic objectives and making timely adjustments in strategies when markets conditions and other forces demand a change;
- h. Carrying out a comprehensive budgeting processes and monitoring the Agency's financial performance against the budget;
- i. Submitting annual reports, financial statements and financial position of the Agency to the President, Secretary General and to the treasurer where applicable; and
- j. Developing an annual strategic plan and budget in accordance with the Aims and Objectives of the Agency.

## **ARTICLE FOURTEEN**

### **14. REVIEW OF RULES AND REGULATIONS AND CONSTITUTION AMENDMENT**

**14.1.** All the members of the Agency through motions passed to their CeYED Committees and the Presidium shall propose changes in the council and carry forward motions of the amendments to the constitution to a duly convened Annual General Meeting or a Special General Meeting organised for the purpose where the Presidium shall reserve the right to vote in and introduce new rules and regulations and/or amend these terms of reference in the constitution and submit them signed by the Executive Committee to the government registrar of societies and to all relevant bodies.

14.1.1. Such changes and amendments shall be duly notified to all members of the Agency accordingly.

14.1.2. The YEDA-EC shall be empowered to prescribe rules and regulations of administration of the Agency, subject to provisions of this constitution.

## **ARTICLE FIFTEEN**

### **15. PRECEDENCE**

**15.1.** Where a conflict arises in the other Agency Committees or the YEDA-EC respectively, the YEDA-EC or the advisory board respectively, shall cause an intervention, the board shall make recommendations to the disciplinary board which shall make an enforceable decision in resolving or dispelling the conflict as per provisions of the Agency constitution and/or with a professional legal adviser appointed by the advisory board or YEDA-EC where applicable if need rise depending on the scale of conflict.

## **ARTICLE SIXTEEN**

### **16. AUDITORS**

**16.1.** Internal Auditors shall be appointed by the Executive Committee and the external independent auditors (where it may be necessary) shall be appointed by the Agency Advisory Board if need rise.

**16.2.** Appointment shall be made on the basis of submitted qualifications in the presence of the Advisory board.

- 16.3.** Auditors shall be given two weeks of auditing or any other time that may be deemed necessary and shall be agreed upon by the Agency Executive Committee and/or the Advisory Board where applicable and referring to the amount of work needed to be done.

## **ARTICLE SEVENTEEN**

### **17. DISSOLVING THE AGENCY AND THE YEDA-EC**

- 17.1.** The calling of the election shall be an automatic dissolving of the YEDA-EC and other Agency Committees running concurrent with that of YEDA-EC in office 14 days later from the day of elections announcement with reference to Article 10 of calling the elections.
- 17.2.** The Agency may only be dissolved as an institution by an unanimous vote or a two-thirds majority of the YEDA-EC and a two-thirds majority vote of the established and/or elected committees of the Presidium at an AGM or SGM convened solely for the purpose; subject to this clause, the procedures thereof should be those of executing a motion of no confidence where this clause is not immediately clear.

#### **17.3. Motion of No Confidence**

- 17.3.1. Where a member or the entire YEDA-EC, the Industrial Secretariat and the CeYED as a whole has been censored, or a Motion of No Confidence has been passed on the individual or the whole of any or group of the committees above, a transitional body in the case of YEDA-EC shall be elected immediately. The following procedures may be followed to censor that committee member(s) or the entire Presidium:
- 17.3.2. Delivery to the President or General Secretary of a petition signed by 2/3 majority of the members calling for the censor of that committee member(s) or the entire Presidium; followed by a two thirds majority voting at a duly convened Special General Meeting of the entire membership in favour of that member's censor or of the entire committee members or the Agency Presidium.
- 17.3.3. Breach of any of the above procedure shall result in denial of such a petition with justification provided by the advisory board.
- 17.3.4. The Transitional body in a case of whole YEDA-EC censorship shall be elected by the Advisory Board, and will remain in effect until fresh ballot

elections are conducted within a Period not exceeding 2 months of assuming transitional powers.

17.3.5. The censoring of the members of the advisory board shall either extend to their individual capacity being appointed to be their respective organisation's representative or it shall extend to the censoring of their organisational standing as part of the Presidium, the latter shall be decided by the parties lodging in the censorship and the authorised nominating office bearer where applicable.

#### **17.4. Liquidation and Disposal of Agency Assets**

17.4.1. In case where the Agency has been or is subject to dissolution as per the provisions of this constitution, the YEDA-EC or the Advisory board in case where the YEDA-EC has been affected by the dissolution shall effect the appointment of a Liquidator of the Agency assets.

17.4.2. The remaining Assets of the Agency after all debts are paid may be auctioned or donated to an organisation in pursuit of similar functions and objectives of the Agency. The determination of route for either auction, donation or otherwise of remaining assets after liquidation shall be determined by the body which appointed the Liquidator as per clause 17.4.1.

## **ARTICLE EIGHTEEN**

### **18. MEETINGS OF THE AGENCY COMMITTEES**

#### **18.1. Annual General Meeting**

18.1.1. The Agency shall hold an annual meeting of all members and all its committees around February of every calendar year and a one month notice of such a meeting shall be given along with all necessary details of the meeting; these shall include but not limited to, documents; minutes of the last meeting, reports of office bearers, start and end time, date, venue and etc.

**18.2.** The agenda of the annual general meeting shall be decided by the YEDA-EC and shall at most conformity take the following format:

- 1.** A welcome prayer
- 2.** Introductions
- 3.** Welcome
- 4.** Apologies
- 5.** Assurance of quorum
- 6.** Time fixing for commencement
- 7.** Reassurance of Quorum



8. Review of minutes recorded in previous AGM and/or special general meeting
9. Analysis of implementation of resolutions from the minutes
10. Recommendations to the matters arising out of the analysis
11. Industry Secretariats report – chairman
12. Secretary General’s Report
13. Treasurer’s Report
14. President’s Report
15. Matters arising from the reports and analysis
16. Resolutions and Recommendations to the analysis
17. Advisory board statutory recommendations
18. Any other business
19. Adjournment

**18.3. Special general meetings.**

- 18.3.1. The Agency shall hold special general meetings upon written request to the president and/or secretary general with a two-thirds majority of all its members giving a twenty (20) day notice. The YEDA-EC shall also be empowered to call a special general meeting as frequent and urgent as possible when the need arise as may be deemed so by the YEDA-EC.
- 18.3.2. The purpose and agenda for the meeting shall be decided by the parties concerned with the convention of such a meeting.
- 18.3.3. In the event that the executive committee fails without reasonable course to call a special general meeting, the members who have signed the petition shall delegate a chairman to chair the meeting and report resolutions of the meeting to the presidium for confirmation.

**18.4. Quorum of the Annual and Special General Meetings**

- 18.4.1. The chairman of anyone of the meetings shall ensure that quorum is attained before the meeting can proceed with its agenda.
- 18.4.2. Notwithstanding provisions of a quorum for different committee sitting, the chairman shall furthermore ensure that at least half (1/2) of the members of the expected commit members are present.
- 18.4.3. Upon failure to produce a quorum, the meeting shall be adjourned with an agreed reconvention within 7 working days and the members who are present shall form a quorum in the next meeting.

**18.5. Adjournment**

18.5.1. The chairman shall propose a motion to adjourn a meeting due to shortage of time or due to enforceable circumstances adversely affecting progression of the meeting.

18.5.2. Upon seconding the adjournment, a new date, venue and other details necessary for the facilitation of the next meeting shall be fixed, where the agenda was not successfully completed and deemed necessary to process before the next meeting of that nature.

**18.6. Ordinary YEDA-EC Meetings**

18.6.1. For the purpose of further engagement with all members and day to day administering of the Agency, the YEDA-EC shall hold ordinary weekly (or more frequent) closed meetings or with any of the committees of the Agency while ensuring that at least the entire members are met once every two (2) months at minimum in one calendar year.

18.6.1.1. Records shall be kept to ensure that YEDA-EC members satisfactory attend these meetings and were applicable follow prescribed procedures provided for to deal with members who fail without any valid reason to attend such meetings. YEDA-EC and/or the Advisory Board shall determine the validity of reasons for not attending the meetings.

**18.7. Statutory Meetings**

18.7.1. The YEDA-EC shall meet statutorily at least twice every calendar month.

**18.8.** Unless otherwise expressively written; Meetings of the Agency shall be held for the purposes of:

- a. Raising and resolving issues in accordance with the objectives of the Agency;
- b. Resolving such matters as they arise which may affect its members
- c. Deciding the policy of the Agency on all matters
- d. Determining any other matter that falls within the powers of the YEDA-EC

**18.9.** Any of the national official languages shall be the medium of communication in all Agency meetings.

**18.10.** The YEDA-EC shall from time to time meet in a joint sitting with the Industrial Secretariat at least once every calendar month as part of the two statutory meetings.

**18.11.** The Agency Presidium shall from time to time meet in a joint sitting with the Executive committee at least once every calendar month as part of the two statutory meetings.

**18.12.** The Secretary General shall provide to all participating members of the Agency at least two days notice in writing of the time, place and agenda for each

meeting of the Agency unless there is a specified notice period of such a meeting in these terms of reference.

**18.13.** Quorum of an ordinary meeting of the YEDA-EC shall be one half of all the members who have not apologised in writing plus one and shall be formed in other statutory meetings by further satisfaction that the President, Secretary General and the Treasurer or their deputies where applicable are present.

**18.14.** In event of quorum not being present for ordinary meetings of the Agency after thirty minutes from the notified time for the start of the meeting, the meeting shall adjourn until date and time agreed upon by those present when the meeting shall reconvene.

**18.15.** The President shall act as chairperson for all meetings of the YEDA-EC. In the absence of the Chairperson, the Vice-Presidents in their order and then the Secretary General, and in the absence of all those who are mentioned above, Executive Committee members shall elect a chairperson.

### **18.16. Consultative Meeting**

18.16.1. Consultative meeting shall be the meeting of the regional and international bodies of similar mandate, functions, aims and objectives as those of the agency.

18.16.2. The meeting shall be held at least four times per calendar year at a specified place convenient for the representatives and the involved organisation.

18.16.3. Attendees shall be the ex-officio members of the YEDA-EC being the President and/or Officers, Secretary General and/or Officers.

## **ARTICLE NINETEEN**

### **19. CO-OPTION**

**19.1.** The YEDA-EC shall be empowered to co-opt a member to serve in any one of the Agency committees, only in replacement, where the current office bearer has ceased to be a member before the next elections to replace such a member.

## **ARTICLE TWENTY**

### **20. SUB-COMMITTEES**

**20.1.** The YEDA-EC shall be empowered to establish sub committees that shall deal with specific tasks as part of ensuring and achieving its aims and objectives.

**20.2.** The subcommittees shall deal with such special tasks with full adherence to their guiding rules and regulations.

**20.3.** The subcommittees shall report directly or through responsible executive member to the whole Executive Committee.

**20.4.** Such Sub-Committees must include; Audit Subcommittee, Budget Subcommittee, Research and Development Subcommittee.

## **ARTICLE TWENTY ONE**

### **21. THE FINANCIAL YEAR**

**21.1.** The financial year of the Agency shall end on March 31<sup>st</sup>, and begin in April 1<sup>st</sup> of every calendar year which shall signal financial planning and fiscal policy presentation by the Treasurer to the YEDA-EC.

# YOUTH ENTREPRENEURSHIP DEVELOPMENT AGENCY

## The Executive Committee

1. President  
\_\_\_\_\_
2. Vice President 1: Business Creation  
\_\_\_\_\_
3. Vice President 2: Institutional support  
\_\_\_\_\_
4. Vice President 3: Business and Organisational Finance  
\_\_\_\_\_
5. Secretary General  
\_\_\_\_\_
6. Treasurer  
\_\_\_\_\_
7. Industry Secretariat Chairperson: High Value Mechanics, Electronics, and Textile Manufacturing  
\_\_\_\_\_
8. Industry Secretariat Chairperson: Real Estate Development, Construction and Mining  
\_\_\_\_\_
9. Industry Secretariat Chairperson: Retail and Merchandise, Agriculture and Food Processing  
\_\_\_\_\_
10. Industry Secretariat Chairperson: Technology and Services Industries  
\_\_\_\_\_
11. Industry Secretariat Chairperson: Hospitality and Creative Industries  
\_\_\_\_\_
12. Vice secretary  
\_\_\_\_\_
13. Press and Public Relations Secretary  
\_\_\_\_\_
14. Any number needed to bring women representation to a thirty percent ratio (30%) in the YEDA-EC.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_