

**UNITED REPUBLIC OF TANZANIA**

**THE CONSTITUTION  
OF**

**TANZANIA CHILD AND YOUTH RESCUE ORGANISATION  
(TCYRO)**



Tanzania  
**Child & Youth**  
Rescue Organization  
...empowering young people for better world

**PHYSICAL ADDRESS:**

**UN Street, UNHCR- Kanyamahela road, KINGONET BUILDING, Opposite IRC Offices**  
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**VERSION I**

## **PART 1: PRELIMINARY**

### **ARTICLE 1: SHORT TITLE AND COMMENCEMENT**

This Constitution is cited as the constitution of 2019, and has come into operation upon being registered under the NGO Act, No. 24 of 2002 as amended 2005.

### **ARTICLE 2: INTERPRETATION**

**Board of Directors:** Means the board appointed by the organization members through general meeting to oversee the organization undertaking.

**Annual estimates:** Means the estimates other than the supplementary estimates

**GM:** Means General Meeting

**AGM:** Means Annual General Meeting held in the calendar year by all organization members.

### **ARTICLE 3: PREAMBLE**

We as the non-governmental, a not for profit making, and Non-political Organization is committed to promote sustainable management and protection of the child basic rights such as right to education, food, shelter, freedom of speech, clothes, sports and among others, and indeed becoming the voice of the child and youth empowerment in different aspects.

This is due to the fact that, there have been various cases relating to and indeed violating child's rights and prosperity of youth. Such cases include denial to education, severe beating, throwing of children, raping, early marriage, Female Genital mutilation (FGM), child labour, children trafficking and abandonment of children by their parents as well as killing of children under matters relating to witchcraft among others.

Therefore, these are the grounds under which this organization is sought to be established. Thus our organization will work hand in hand with the community in improving livelihoods and social welfare of the child and youth in Tanzania Mainland.

## **PART 11: CONSTITUTION, DENOMINATION, REGISTRATION, HEAD OFFICE, AREA OF OPERATION.**

### **ARTICLE 4: CONSTITUTION**

The organization has its governing constitution. The constitution is the legal document for operation and shall set up by laws for regulation and administration of the organization.

**ARTICLE 5: NAME OF THE ORGANIZATION**

The organization name is Tanzania Child and Youth Rescue Organisation (TCYRO)

**ARTICLE 6: REGISTRATION**

The organization is registered under the Non-Governmental Organization Act, Na. 24 of 2002 as amended in 2005

**ARTICLE 7: HEAD OFFICE**

The head office of the Organization is at Kibondo district – Kigoma, Tanzania. The organization will open its branches in all district found in Tanzania mainland following its expansion phases. The organization office will be located along Kibondo – Kanyamahela road 1.2 km from Kibondo town centre.

P.O.BOX 194

KIBONDO

**KIGOMA**

**Mobile: +255768161362**

**+255 718324589**

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**ARTICLE 8: AREA OF OPERATION**

The organization is registered to operate in Tanzania Main land.

**ARTICLE 9: CORE VALUES OF THE ORGANIZATION**

The core values of the organization will be **Transparency, Accountability, Humanity, Imperative, Impartiality, Neutrality, and Proselytism.**

**PART 111: VISION, MISSION, OBJECTIVES, PROTECTION OF THE ASSOCIATION**

**ARTICLE 10: VISION STATEMENT**

The vision statement of the organization is to be the best centre for advocating child rights and Youth empowerment in attainment of better livelihood and social wellbeing.

**ARTICLE 11: MISSION STATEMENT**

The mission statement of the organization is “To have a community in which children, adolescents, girls, youth, marginalized and vulnerable groups are empowered to realize their rights and potentials.

**ARTICLE 12: OBJECTIVES OF THE ORGANIZATION**

The objectives which the organization intends to implement are:

- i. To promote child and women rights awareness to the community and support governmental efforts to reduce child and youth poverty, early marriage, FGM, and gender based violence through improved policy environments and systems for the child and youth.
- ii. To lobby and advocate for fair policies that affect the daily life of child and youth through research, networking and strategic alliance building.

- iii. Improve children's access to the food and health care as they need to thrive.
- iv. To promote a safe and conducive environment for the children in an approved residential home.
- v. Secure a good quality education for the children who need it most.
- vi. To encourage and counsel the children to become better in all aspects of their lives.
- vii. Offering legal services on children convicted under the law in juvenile courts and other law chambers on matters relating to children violation of law.
- viii. To fight against new HIV/AIDS infections and promote treatment during both times of a child and youth life through improved and equitable use of proven HIV/AIDS prevention and treatment interventions by pregnant women, children and adolescents.
- ix. To encourage improved and equitable use of high impact maternal, new-born and child-youth health interventions from pregnancy to adolescence and promotion of sexual and reproductive health.

***ARTICLE 13: APPLICATION OF PENAL CODE AND CONTRAVENING BY- LAWS***

This Constitution or subsequent Rules and Regulations made under its authority shall not exclude in any manner whatsoever the application of the Penal Code (Cap.16 of the Laws of Tanzania R.E. 2002) or any other law with similar effects on criminal matters and generally the application of the laws of the United Republic of Tanzania on any matter regarding the management and administration of the Organization

**PART IV: MEMBERSHIP AND TYPES OF MEMBERS**

***ARTICLE 14: MEMBERSHIP***

Membership shall be open to any person of majority age who is ready to support the organizational operations and also who is ready to support the organization to achieve its objectives and willing to abide the constitution and the Law and Culture of the United Republic of Tanzania.

***ARTICLE 15: TYPES OF MEMBERSHIP***

- i. Founder members: The founder members of the organization are members who preceded the registration of the organization.
- ii. Honorary members- Are those members whose membership is a result of his or her notable contribution toward the sustainability of the organization.
- iii. Joining members- These are members whose membership is a result of filling for the application forms of the organization and are partners in the execution of the projects at grass root level.

***ARTICLE 15: RIGHTS OF THE MEMBERSHIP***

- i. To attend all annual General Meeting of the organization for decision making
- ii. To participate in the all organization planning, program designing and activities.
- iii. To request, challenge and obtain for information in any of the fund's usage.
- iv. To elect and be elected as a leader as per set rules save for honorary members.
- v. To join the organization after all requirement are met and withdraw his/her membership by giving written information to the Secretary of the Organization who shall present the matter to Annual General Meeting for approval.
- vi. To provide material and moral support for operationalization of the Organization as agreed by the Board of Director's
- vii. To attend all training that intends to impart necessary skills for organization development.

## **ARTICLE 16: TERMINATION OR CESSATION OF THE MEMBERSHIP**

Membership can cease because of the following reasons;

- i. Voluntary resignation/voluntary termination
- ii. Death/Deregistration of the organization
- iii. Expulsion
- iv. Insanity
- v. Disqualification by a general meeting for his/her misbehavior.
- vi. Failure to attend three consecutive general meetings for three (3) year without reasonable notice as well as fail to pay for a prescribed fee especially if found not paid three years continuously.
- vii. Being involved in corruption and being found guilty to misuse of funds of the organization

## **ARTICLE 17: OBLIGATION OF THE MEMBERS**

Members of the organization shall have the following obligations;

- i. To supervise and make follow-up of organizational operation and make sure organization policies are followed by the Management and all employee of the organization.
- ii. To pay the fees on annually basis.
- iii. To perform other duties assigned to him by Management/Secretariat for achieving the objectives of the Organization.
- iv. To respect and abide to the constitution of the organization and the law of United Republic of Tanzania
- v. To obey leadership, rules and regulations as per the organization constitution.
- vi. Make sure the organization is consistently stable and fulfill its core values duties.
- vii. To attend all General annual meetings
- viii. To devote his/her resources and time to serve for the benefits of the organization.
- ix. To willingly volunteer in the organization's activities as will be declared by the executive director.

## **PART V: ORGANIZATIONAL STRUCTURE AND OFFICE BEARERS.**

### **ARTICLE 18. CHAIRPERSON**

**There shall be the chairperson of the Board of the organization whose tasks shall be;**

- i. He/she shall lead all the Meeting of the Board of Directors and General meeting of the organization
- ii. The organization spokesman and the head of the Organization.
- iii. Co-ordinate the Board members and Members of the Organization to ensure that the appropriate policies and procedures are in place for the effective running of the organization Business.
- iv. Shall be titled to authorize all incoming and outgoing official documents that are already approved by the delegate on behalf of all members of the Organization.
- v. Legible in ensuring formal documents are written by the organization to donors.
- vi. Endorsement of organization Funding proposal and reports going to donors
- vii. To supervise all legal compliance of the organization to the donor and Government of Tanzania.

### **ARTICLE 20: SECRETARY**

There shall be executive secretary of the organization. The executive Secretary will be appointed by the general meeting. The Duties and responsibilities of the Executive Secretary will be as Follows;

- i. Be the chief executive Secretary of the organization and shall be one of the signatories of the organization bank accounts.
- ii. Plan and call for meetings by writing a call letters to members.
- iii. Oversee planning, implementation and evaluation of the organization's programs and projects.
- iv. Be the Head of the Secretariat.
- v. Propose the Board and General meeting on the suspension and enrolment.
- vi. Ensure all members and employed staffs are strictly abiding to the constitution.
- vii. To take records on all information about the meeting.
- viii. Collect and distribute information pertaining to activities of the organization.
- ix. To sign Donor/Government contract/Memorandum of Understanding on behalf of the Organization.
- x. He/she is the accounting officer of the organization

#### **ARTICLE 21: TREASURER**

There will be a TREASURER who shall be appointed by the general meeting, and shall serve the following tasks;

- i. Be responsible for all issues concerning finances of the organization
- ii. Receive membership contributions/ fees and other financial contributions on behalf of the organization and will be legible to save at the Bank account 24 hours since the money collected Failure in which shall make the treasurer have to defend himself before the general meeting.
- iii. Submit Books of accounts on monthly Basis and to the annual general meetings
- iv. Disclose any issue pertaining finances including received funds.
- v. Prepare and report issues pertaining finances including collection, usages and foresight plans.
- vi. Account for all funds received and make payments in accordance with policies established by the General meeting.
- vii. To participate in the preparation of the annual Organization Budget with other staff members of the organization.
- viii. To arrange books of accounts for external auditing and he/she must appear in person in provision of management responses to auditors.

#### **PART VI: ELECTION AND TIME IN POWER**

##### ***ARTICLES 22: CHAIRPERSON***

The chairperson shall be elected by the general Meeting in accordance with the provision of the constitution; by the rules set he/she shall serve for three (3) years.

##### ***ARTICLE 23: THE SECRETARY***

The Secretary will be elected by the general meeting among members and shall hold office for term of three years, may be eligible for reelection for one more term (three years) only for the same position.

##### ***ARTICLE 24: TREASURER***

The Treasurer will be elected by the general meeting among members and shall hold office for term of three years, may be eligible for reelection for one more term (three years) only for the same position.

**ARTICLE 25: MODALITIES OF THE OFFICE BEARERS RENEWAL.**

The office bearers shall be holding an office for three [3] years, they may be re-elected/appointed not more than three terms.

**ARTICLE 26: BOARD OF DIRECTORS.**

- i. There shall be a Board of Directors which shall have not less than 5 and not more than 9 members, who will be appointed by the general meeting.
- ii. The chairperson of the Board shall be elected by the General Meeting while the vice chairperson of the Board will originate, selected and approved by the Board members themselves.
- iii. The Board will conduct four meetings in the year. However, it may have an emergency meeting when the needs arise.
- iv. The quorum of the Board meeting shall be 1/2 of the members.
- v. The office tenure of the board will be three years and they may be eligible for reappointment for one more term only.

**ARTICLE 27: FUNCTIONS AND DUTIES OF BOARD MEMBERS.**

- i. To advise the secretariat on the daily operations of the organization.
- ii. Shall review constitution amendment recommendation before tabled to the Annual general meeting for endorsement and approval.
- iii. Shall review budget, plans and projects before tabled to the general meeting for endorsement/approval.
- iv. Shall be policy making endorsement and present to the annual General meeting
- v. Shall support the organization to attain its objective.
- vi. Represent and act on behalf of the organization generally and do all such acts as are necessary for the efficient and effective running of the organization's affairs.
- vii. Appoint the vice chairperson of the Board and implement other duties as proposed the General Meeting.
- viii. Approve external auditor appointed by general meeting
- ix. To sagely the acts of the organization by use of the official seal.

**ARTICLE 28: MANAGEMENT TEAM/SECRETARIAT**

There shall be the Management team/Secretariat of the organization that shall be led by the secretary and shall compose of all office bearers and other staffs of the organization as designed by the general meeting.

- i. Shall be responsible for running day to day activities
- ii. Shall set rules for its own regulations and operation that shall be approved by the Board
- iii. Shall put much efforts in Organization Funding Proposal Development in Consultation of the Board of Directors

- iv. Shall be liable to Develop Organization Regulations including organization Board structure, Periodic Organization strategic plan, Organization Annual Work plan, Financial Regulations, Human Resources Manual, Organization Insurance policy, Child protection policy, Partnership Policy Manual, Disaster and Humanitarian Response policy manual, Procurement and Logistics Policy Manual to facilitate operations of the organization as per this constitution, Gender Equality and Women Empowerment Policy Manual and Disaster and Humanitarian Response manual/Guidelines

## **PART VII: GENERAL, ORDINARY AND SPECIAL MEETINGS**

### ***ARTICLE 29: COMPOSITION OF GENERAL MEETING***

There shall be General meeting of the Organization that shall be composed of all members of the Organization and shall be the supreme decision-making organ of the organization.

### ***ARTICLE 30: POWERS AND FUNCTIONS OF THE GENERAL MEETING***

- i. To approve the name of executive director of the organization that is appointed by the general meeting.
- ii. To elect office bearers.
- iii. To approve the appointment of External Auditors/ Auditing company for Annual Auditing
- iv. To amend constitution of the organization
- v. To approve budgets, policy, regulations and plans that is approved by Board of Directors
- vi. To approve or disapprove names of the new entrant (s)/New members of the Organization recommended by the Board of Directors
- vii. To appoint Board members.
- viii. To Receive Annual performance and Audited Financial Report and make General comments and approve all the report for official use and sharing with Government, Donor and other stakeholders
- ix. Annual meeting is the highest organ in the organization hierarch for decision making of the Organization.

### ***ARTICLE 31: DELEGATION OF POWERS***

Powers and functions of the general meeting may be delegated to the board members that shall be required to report to subsequent general meeting.

### ***ARTICLE 32: ANNUAL GENERAL MEETING***

The organization shall hold an Annual general meeting once (1) in year

The quorum in the Annual general meeting shall be 2/3 of all active members of the organization

The Notes for the Annual general meeting shall be prepared and dispatched to all members not less 21 days before the scheduled date of the meeting.

### ***ARTICLE 33: SPECIAL /EXTRA ORDINARY GENERAL MEETING***

Special General Meeting shall be called by the chairperson of the Board when there is any matter in urgency that require an immediate attention or at the request of the 2/3 of the organization members and

the notification to members will be made within 7 days prior to the actual meetings and quorum must be ½ of all members of the meeting.

## **PART VIII: FINANCAL MANAGEMENT, SOURCES OF FUNDS AND USES OF FUNDS**

### ***ARTICLE 34: FINANCIAL YEAR***

The financial year of the organization shall start from 1<sup>st</sup> January to 31<sup>st</sup> December each year.

### ***ARTICLE 35: SOURCE OF FUNDS***

The organization will get funds from;

- i. Contributions from the members.
- ii. Grants from development partners, donations, sponsors, stakeholders and fund raising activities.
- iii. Commission and earnings from the Organisation's property, projects and capital.
- iv. Grants from Government agencies
- v. Loan from Financial institutions and Government Agencies

### ***ARTICLE 36: USES OF THE FUNDS***

The funds of the Organization obtained shall be used to fulfill the Organization objectives only as approved by Board of Directors and General Meeting.

### ***ARTILCE 37: BANK ACOUNT***

The Organisation shall open and handle bank account in name of the Organisation and it shall be maintained in a way prescribed in financial regulations. Signatories shall be three, two persons appointed by the Management/Secretariat with approval from annual general meeting and all financial documents including cheque will be approved by the signature of Executive Director authorized by the annual General meeting of the Organization.

### ***ARTICLE 38: ANNUAL REPORT***

The organisation shall prepare Annual activities report and Annual financial audited report to be discussed and endorsed by General Meeting and shall be submitted to the government authorities as required by the laws.

### ***ARTICLE 39: AUDIT AND CONTROL***

Books of accounts of the organization shall be audited on monthly basis by internal auditor, and shall be audited annually by external auditor appointed by the general meeting, and the financial statement shall be prepared and tabled before the general meeting for approval.

**PART IX: CONSTITUTION AMMENDMENTS, DISSOLLUTION AND COMMON SEAL.**

***ARTICLE 40: CONSTITUTION AMMENDMENTS***

There shall be constitution amendments in any part or article of the constitution but changes made will wait for General Meeting approval before implementation.

The changes shall be passed by 2/3 of the members of the General meeting

***ARTICLE 41: DISSOLUTION***

The organization may be would up at any time if agreed by 2/3 of members present and voting at any General Meeting. Upon dissolution and after satisfaction of all liabilities owed by the organisation, the remaining assets shall be transferred to other Organisation with similar objectives to this organization.

***A RTICLE 42: COMMON SEAL***

The Organization shall have official seal that shall bear the name, Address, Date and Communication channel and shall be used in all documents and financial matters in presence of Chairperson or Executive director.

***ARTICLE 43. CONFLICTS RESOLUTION.***

Conflicts within the organization, conflicts between the organization and partner organization shall be resolved by the Board of directors, if the Board of directors fails to resolve the conflicts, the problem will be discussed in the general meeting, if the general meeting fails, and the conflicts will be resolved by the registrar of NGOs or any other organization selected by both sides which are in conflicts for resolutions.

**LIST OF TANZANIA CHILD AND YOUTH RESCUE ORGANISATION  
(TCYRO) FOUNDER MEMBERS**

S/O	NAME OF MEMBER	TITLE
1.	KASUKA, Oscar D.	Chairperson
2.	BAKUNDUKIZE, Paschal A.	Secretary General
3.	MILEMBE, Happiness M.	Treasurer
4.	IBRAHIM Twaibu. N	Member
5.	SELEMANI, Monica H.	Member
6.	RULELEKANA, Mellesian J.	Member
7.	ALBERT, Felister	Member
8.	MUTUKU, Anisia M.	Member
9.	NGEZE, Nestory N.	Member
10.	RICHARD, Gaspar N.	Member
11.	MPOLENKILE, Adajiza K.	Member
12.	ALBERT, Onesmo D.	Member

Signed by

Chairperson:

Name: OSCAR D. KASUKA

Secretary

Name: PASCHAL A. BAKUNDUKIZE

In this 14<sup>th</sup> day of JUNE, 2019

