



ZAMBIA NATIONAL ASSOCIATION OF PERSONS WITH PHYSICAL DISABILITIES
(ZNAPD)

THE CONSTITUTION

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ZNAPD

PHYSICAL ADDRESS:

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Record of Constitution writing, Amending, Ratification, Repealing and Re-writing:

- *Written in 1981*
- *Amended and ratified in December 2005*
- *Rewritten in December 2015*
- *Ratified in September 2016*



Preamble and Declaration:

Whereas in Zambia needing to have an Association:

- i. Under which persons with physical disabilities can exchange information, ideas and views on their welfare; and*
- ii. Through which they can have their welfare co – ordinated, supported and promoted at all levels of society; and*
- iii. As a platform from which they can advocate and campaign for legislative measures of securing their rights.*

Do hereby agree to the following constitution for establishing and running a strong, unified non – governmental organisation for the association of persons with physical disabilities.



GLOSSARY

Advocacy: Organised efforts to effect systematic or incremental change to benefit a specific target group be it in services, programmes, policies, cause, idea, or legislative measures.

Awareness: Implies the gaining of knowledge through one's own perceptions, as of the attitudes of others, or by means of information.

Capacity Building: Increasing the ability and sustainable skills of individuals, groups and organisations to plan, undertake and manage initiatives on their own.

Disability: Means a permanent physical, mental, intellectual or sensory impairment that alone or in a combination with social or environmental barriers, hinders the ability of a person to fully or effectively participate in society on an equal basis with others.

Dissolution: Termination of the existence of the organisation by members.

Mission: This is the purpose for which or the reason why an organisation exists. A mission statement answers the questions: "*Why does our organisation exist?: what business are we in?: What values will guide us?*"

Non-Governmental Organisation: This is a non-profit, voluntary citizens group, which is task-oriented and driven by people with a common interest.

Objectives: These are positive statements describing the desired state of matters (related to the identified problem) at the end of a particular period of time. They help an organisation to focus on what needs to be achieved.

Persons with disabilities: Means persons with long-term physical, mental intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

Vision: This is guiding image of success formed in terms of a contribution to society. The vision statement answers the question: "What will success look like?" It is the pursuit of this image of success that really motivates people to work together.

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CHAPTER 1

INTRODUCTION

ARTICLE 1a

Name:-

The name of the association shall be; “Zambia National Association of Persons with Physical Disabilities, “hereinafter referred to by its acronym “ZNAPD”.

ARTICLE 1b

Registered office

- i. The Association’s registered head office shall be at plot 24/A/189 Buteko Avenue, Centenary House, Ndola for the time being and can be moved any where within Zambia if operational requirements dictate so.
- ii. The Association’s registered postal address shall be Post Office Box 72908, Ndola 10101, Zambia.

CHAPTER 2

VISION, MISSION, VALUES, AIM AND OBJECTIVES

ARTICLE 2a

Vision

A society where persons with physical disabilities lead independent lives free from all forms of oppression and discrimination.

ARTICLE 2b

Mission statement

To make our organization strong in order to deliver quality services to our members.

ARTICLE 2c

Value statement

To uphold Human dignity and justice, be reliable, have courage and be accountable to the general membership.

ARTICLE 2d

Aim

The aim of ZNAPD shall be to promote the welfare and development of persons with Physical disabilities:

- i. By co-ordinating and supporting the activities of the Branches spread through out Zambia.
- ii. By providing a forum for free exchange of information, ideas and views between them.
- iii. By carrying out programmes of practical action designed to promote the active participation of persons with disabilities in securing equalization of opportunities and their full integration into society.

ARTICLE 2e

Objectives:

ZNAPD shall strive to achieve the following objectives:

i. **Awareness raising.**

To raise public awareness on the rights, needs, concerns and abilities of persons with Physical disabilities and exchange information, views, and ideas among all concerned through various media of communication.

ii. **Advocacy and Influence.**

To advocate for legislative, policy measures and actions that would enable and empower persons with physical disabilities to enjoy their rights and achieve full-participation in the mainstream of society.

iii. **Legislature:**

To take cognisance of all legislation, prospective legislation or statutory instruments affecting persons with Physical disabilities and use every legitimate means to urge government and local authorities to utilise constructively all powers conferred on them by parliament for the benefit of Persons with physical disabilities.

iv. **Capacity Building**

To assist in building the capacity of General membership through knowledge, shared learning, leadership training in organisational and business management, advocacy, mainstreaming, fundraising, HIV/AIDS, natural disaster management as well as practical support aimed at enabling them execute development programmes effectively;

v. **Information**

To collect and disseminate information on all matters affecting the said objectives and exchange such information with other bodies having similar objectives.

vi. **Economic Empowerment**

To undertake practical projects and ventures to help and support person's with physical disabilities in their branches.

vii. **National pandemics and disaster Management.**

To take prompt action and advise general membership on how to address issues of disability in the event of natural pandemics, disasters and these include HIV/AIDS Floods, famine etc.

viii. **Women and youth.**

To ensure that the leadership programmes, projects and activities of ZNAPD and its membership include women and youths with physical disabilities.

CHAPTER 3

POWERS

In pursuance of its objectives ZNAPD shall have the following powers:

ARTICLE 3a

To Arbitrate by request, in internal conflicts which may arise among the membership.

ARTICLE 3b

To intervene, without being requested in internal conflicts or disputes that may arise among the membership. Such intervention shall be fairly executed without fear or favour of the party acting unjustifiably against the other party.

ARTICLE 3c

To employ and pay persons to supervise, organise and carry out the work of ZNAPD among whom shall be the Executive Director, who shall always be a person with a physical disability and Senior Development Officer.

ARTICLE 3d

To appoint an independent Electoral Commission to supervise and conduct elections at the General Conference.

ARTICLE 3e

To acquire real estate and rights thereof; and to construct, maintain and alter any buildings to suit programme work of attaining ZNAPD objectives.

ARTICLE 3f

To dispose of property by sale, mortgage, exchange, and turn to ZNAPD Account all or any of the monies or assets realised.

CHAPTER 4

MEMBERSHIP

ARTICLE 4a

Membership categories

Membership to ZNAPD shall be open to:-

i. **Ordinary membership:-**

Anyone with a physical disability is eligible to be a member.

A branch of ZNAPD shall consist of ten (10) or more persons with physical disability of any age who have grouped together and agree with the aim and Objectives of ZNAPD, as set out in *Chapter 2 article 2d and e.*

ii. **Associate membership:-**

These are individuals who are parents, friends, professionals and any other persons Interested to work with Persons with physical Disabilities in their fight for equalisation of opportunities, services and rehabilitation. They will join the existing branches of ZNAPD nearest to their localities.

ARTICLE 4b

Membership fees:-

- i. All branches in each province will be required to form a provincial committee and the provincial committee will be expected to pay an annual subscription to ZNAPD as shall be determined by NEC from time to time.
- ii. All branch members of ZNAPD are required to buy a ZNAPD membership card at a fee determined by the National Executive Committee from time to time.
- iii. Persons admitted into branches are expected to pay subscription fees determined by their branch committees from time to time.

ARTICLE 4c

Membership rights and benefits:-

- i. Subject to the provision of this Constitution a member of ZNAPD shall have the right to:-
 - a). Participate fully in all the activities of ZNAPD
 - b). Elect or be elected to the offices of the committees of ZNAPD except those in *Article 4a ii.* who will be eligible for election into committee members offices only.
- ii. ZNAPD reserves the right to withdraw membership from any member who acts contrary to the aim and objectives set forth in *Chapter 2 Article 2d and 2e.* The withdrawn member shall have the right to appeal to the Provincial committee, National Executive Committee, AGM or General Conference.
- iii. Paid up individual members shall be free to resign from the branches but monies subscribed to the branch by such members shall not be refunded
- iv. ZNAPD shall have the right to affiliate itself to any organisation both at home and abroad.

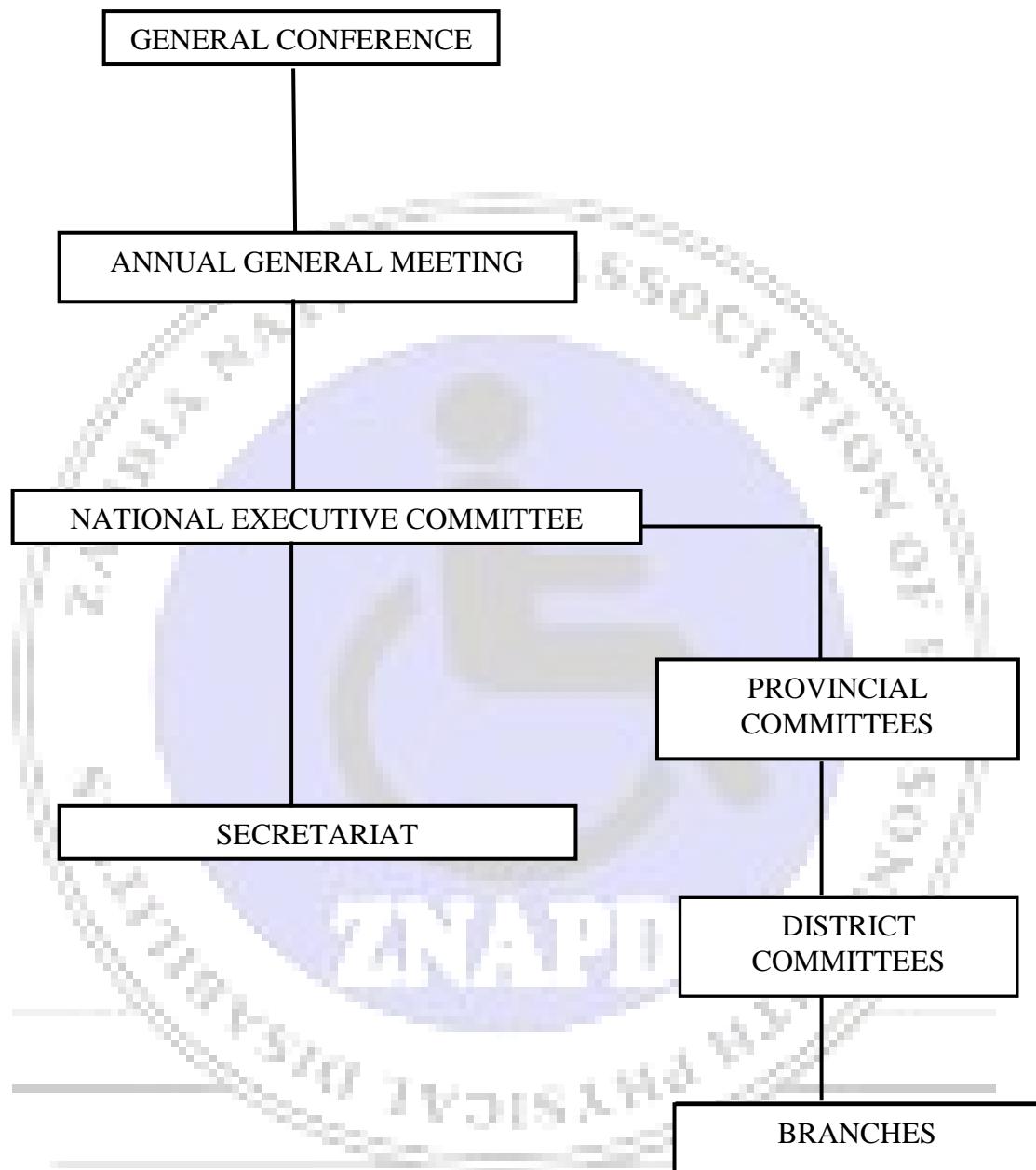
CHAPTER 5

STRUCTURE

ARTICLE 5a

The structure:-

The structure of ZNAPD shall consist of the General Conference, Annual General meeting, National Executive Committee, Provincial Committees, District Committees and Branches as follows:-



ARTICLE 5b

The General Conference:

i. Composition of the General Conference:-

- a. The General Conference shall be attended by five (5) representatives from each province that are fully paid up and card carrying members.
- b. A General Conference shall be held before 31st December every 4 years at such places as the National Executive Committee may deem fit.

ii. The General Conference shall have the following functions:-

- a. To elect the National Executive Committee.
- b. To amend and/or ratify proposed amendments to ZNAPD Constitution.
- c. To deal with any other business referred to by the out-going National Executive Committee.

ARTICLE 5 c

The Annual General Meeting

i. Composition of the Annual General Meeting:-

- a). The Annual General meeting shall be attended by five (5) representatives from each province who are fully paid up and card carrying members.
- b). The Annual General meeting shall be held before 31st December of each year.

ii. Functions of the Annual General Meeting:-

- a). To receive annual reports from the National Executive Committee on ZNAPD activities and finances.
- b). To evaluate ZNAPD progress by discussing the reports.
- c). To amend and/or to ratify proposed amendments to ZNAPD Constitution.
- d). To conduct by-elections to fill up vacant offices if any, on the National Executive Committee.
- e). To deal with any policy matters referred to it by the National Executive Committee.

ARTICLE 5d

The National Executive Committee:-

i. Composition

- a). National Chairperson.
- b). Vice National Chairperson.
- c). National Secretary
- d). Vice National Secretary.
- e). National Treasurer.
- f). Vice National Treasurer.
- g). Four National Committee members of which two will always be females.
- h). National Women's wing Chairperson.
- i). National Youth and Child Wing Chairperson.
- j). Immediate past National Chairperson (ex official)
- k). Executive Director (ex official)

ii. Functions of the National Executive Committee

- a. To formulate policies and make decisions in the meeting.
- b. To appoint special and expert sub-committees to carry out specialised tasks on its behalf.
- c. To act on recommendations in the reports from sub-committees.
- d. To recruit and appoint the Executive Director and Senior Development Officer.
- e. To facilitate general administration of ZNAPD.
- f. To report to the Annual General meeting about ZNAPD activities and finances.
- g. To arrange ZNAPD meetings except secretariat administrative meetings.
- h. To appoint the **Board** for Ndola Training Centre for the Disabled.
- i. To examine and approve ZNAPD budgets and action plans.
- j. To present a progress report to the General Conference.
- k. To co-opt a member or members at Provincial level to the Board in an event of a vacant office within the Board as contained in article **6.e** pending the General Conference.
- l. To appoint auditors, bankers and lawyers.
- m. To appoint an independent Electoral Commission

ARTICLE 5e Sub Committees

There is hereby established the following Sub Committees; **Finance committee, Disciplinary Committee, Disaster and Management Committee, Women’s Affairs Committee and Youth and Child Committee.**

- i. Finance Committee shall be chaired by the National Treasurer, the Disciplinary Committee shall be chaired by the Vice National Chairperson, the Disaster and Management Committee shall be chaired by the National Secretary, the Women Affairs Committee shall be chaired by the National Women’s Wing Chairperson, the Youth and Child Committee shall be chaired by the National Youth and Child Wing Chairperson and the rest of the committee members shall come from within NEC.
- ii. The Committees may regulate their own business, however NEC may also assign to a committee so established, such of its powers as it may deem fit, but shall not be divested of any power which it may have assigned to a committee and may amend or revoke any decision of such committee.
- iii. A committee to whom the foregoing powers, if any, have been assigned shall continue to act and retain the powers so assigned until its appointment is revoked by NEC.
- iv. In the absence of the substantive chairperson of the committee, the members shall elect a person from their number in a meeting to preside as chairperson for that particular meeting.
- v. The NEC may appoint other committees, but on adhoc basis, to assist it in the performance of its functions and duties and may appoint such of its members and such persons who are not members of the NEC as it may deem fit, to be members of any such committees.

ARTICLE 5f The Secretariat

- i. The secretariat shall be the main administrative organ of ZNAPD and shall consist of the Executive Director and Senior Development Officer recruited and appointed by the National Executive Committee with supporting staff appointed by the Executive Director in consultation with the National Executive Committee.

ii. Functions of the Secretariat

- a. To implement policies, resolutions and decisions made by the National Executive Committee
- b. To carry out overall administrative functions of the organization.

ARTICLE 5g
The Province

The Provincial executive committee shall consist of representatives from the serving members of the District Executive Committees in the province.

i. Functions

- a. To coordinate, monitor and evaluate activities of the districts in the province.
- b. To submit reports to the National Executive Committee.
- c. To be watch dogs of ZNAPD at Provincial level.
- d. To lobby and advocate for issues of disabilities at the provincial level.
- e. Mobilise resources to carry out programmes at provincial level.

ARTICLE 5h
The District

The District Executive Committee shall consist of representatives from the existing branches in the district.

i. Functions

- a. To coordinate, monitor and evaluate branch activities in the District.
- b. To lobby and advocate for inclusion in decision making organs at the district level.
- c. Awareness raising on disability issues at district level.
- d. Mobilise resources for the functions of the district.
- e. Submit reports on the district activities to the provincial executive committee.

ARTICLE 5i
The Branch

The branch shall consist of ten (10) or more members with physical disabilities including those in *Chapter 4 Article 4a (ii)*.

i. Functions

- a. Membership mobilisation and carry out programmes aimed at building confidence and capacity of membership.
- b. Raise awareness on disability issues to members and the community.
- c. Submit reports to the district.
- d. Mobilise resources for the function of the branch.

CHAPTER 6

MEETINGS

ARTICLE 6a

Types of meetings

ZNAPD shall convene the following types of meetings:-

- i Secretariat administrative meetings as required.
- ii NEC meetings – four times per year.
- iii General Conference – once every 4 years.
- iv Sub-committee meetings – as required.
- v Extra-ordinary meetings – as required.
- vi Annual General meetings – once per year.

ARTICLE 6b

Notices to meetings:-

Notices of meetings to members will be sent as follows:-

i. General Conference:-

Two weeks notice before the meeting and shall contain such information as:-

- a) Date, time and venue of the meeting.
- b) Agenda of the meeting.
- c) Copies of documents of issues to be discussed.

ii. Annual General Meeting:-

Two weeks' notice before the meeting and shall contain such information as:-

- a) Date, time and venue of meeting.
- b) Agenda of meeting.
- c) Copies of documents of issues to be discussed.

iii. National Executive Committee meeting:-

Seven days notice before the meeting shall contain such information as:-

- a) Date, time and venue of meeting.
- b) Agenda of meeting.
- c) Copies of minutes of previous meeting.
- d) Other relevant copies of documents necessary for the meeting.

ARTICLE 6c

Adjournment of meetings

All meetings under *Article 6 (a)* may be adjourned.

ARTICLE 6d

Tenure of office:-

- (i) Members of the National Executive Committee or any other elected committee shall remain in office for four years and shall serve for not more than two four year terms.
- (ii) In the event that the organisation has no funds to hold an elective General Conference when due, the serving Board Members shall continue to hold office until such a time when funds are available.

ARTICLE 6e

Quorum:-

The quorum of any meeting shall be 75% of the total number required for the meeting.

CHAPTER 7

POWERS AND DUTIES OF THE NEC MEMBERS:-

ARTICLE 7a

NEC Members

(i) National Chairperson:-

- a) To chair all NEC meetings.
- b) To guide the secretariat in their work.
- c) To delegate and/or assign duties to the Vice Chairperson or other NEC Members.
- d) To uphold the ZNAPD Constitution.
- e) To be the final arbiter whenever decision is split in the meeting.
- f) To issue press statements on behalf of ZNAPD or with his consent any person authorised by NEC to act for the chairperson to speak or issue press statements.

(ii) Vice National Chairperson:-

- a) To deputise in the absence of the National chairperson.
- b) To assist the national chairperson in carrying out any other duties.

(iii) National Secretary:-

- a) Prepare meeting's agendas in consultation with the national chairperson.
- b) Take minutes of the NEC meetings.
- c) Keep records of minutes, reports and other correspondence as may be assigned by NEC.
- d) Prepare and submit reports to NEC, Annual General meeting and General Conference
- e) Dispatch notices of meetings.
- f) Arrange meetings.
- g) Authorised to Chair the meeting in the absence of the National Chairperson and the Vice.

- h) Chair the disaster and management committee.
- i) Any other duties as assigned by NEC.

(iv) Vice National Secretary:-

- a) Deputise in the absence of the Secretary.
- b) Assist the Secretary in carrying out duties.
- c) Any other duties as assigned by NEC.

(v) National Treasurer:-

- a) Supervise secretariat in the use of funds.
- b) Ensure that financial statements are prepared for audit.
- c) Present financial reports to NEC, Annual General meeting and General Conferences.
- d) Advice NEC on financial matters.
- e) Supervise the preparation of budgets.
- f) Source and collect funds.
- g) Keep financial records.
- h) Chair finance committee.

(vi) Vice National Treasurer:-

- a) Deputise in the absence of the Treasurer.
- b) Assist the Treasurer in carrying out duties.
- c) Any other duties as assigned by NEC.

(vii) National Chairperson – Women’s Wing

- a. Chair the women Affairs Committee.
- b. Creating general awareness on issues affecting women with disabilities.
- c. Design programmes aimed at uplifting the welfare and development of women with disabilities.
- d. Chief advisor to the NEC on issues pertaining to women with disabilities.
- e. Carry out any other duties that may be assigned by NEC.

(viii) National Chairperson – Youth and Child Wing

- a. Chair the youth and child committee.
- b. Create general awareness of issues affecting youth and children with disabilities.
- c. Design programmes aimed at uplifting the welfare and development of the youths and children with disabilities.
- d. Chief advisor to NEC on issues pertaining youths and children with disabilities.
- e. Carry out any other duties that may be assigned by NEC.

(ix) Committee members:-

To carry out such duties as may be assigned to them by NEC.

(x) **Immediate Past National Chairperson (Ex – Official)**

- a. Provide advice to NEC for continuity.
- b. Carry out any other duty as may be assigned to by NEC.

(xi) **Executive Director (Ex – Official)**

Carry out duties as provided for in *Chapter 5 article 5f.*

ARTICLE 7b

Cessation of office bearers:-

- i By resignation.
- ii By being seriously and/or permanently incapacitated.
- iii By failure to attend three consecutive committee meetings without permission from the chairperson.
- iv Upon being convicted of a criminal offence.
- v Upon death of office bearer.
- vi Any other circumstance that may justify cessation of office.

CHAPTER 8

ELECTIONS

ARTICLE 8a

Election of Office Bearers:-

- (i) The National Executive Committee shall arrange elections every four years for choosing office bearers from among the delegates.
- (ii) An office bearer shall not be allowed to seek re-election for the third term to NEC
- (iii) Members shall be required to emerge from the branch level and raise steadily up to national level steadily up to national level. At least a member should serve not less than one (1) year at Each level.
- (iv) There shall be a non refundable nomination fee charged to all candidates vying for Positions in the National Executive Committee. The fee for the nomination shall not be more than ten (10) times the cost of membership fee.

ARTICLE 8b

Standing for elections:

- (i) Only delegates to the General Conference or Annual General meeting are eligible to stand except those who have not served for more than a year at each level.
- (ii). The following persons or members shall not be eligible to stand for elections:-
 - ZNAPD Secretariat.
 - Electoral commission members.
 - Individual members disciplined for serious offences.
 - Resource persons.
 - Observers.

ARTICLE 8c

Voting methods

- (i) There shall be one person one vote.
- (ii) One of the following methods shall be used when voting:-
 - By secret ballot.
 - By open show of hands.
 - By any other method agreed upon.

ARTICLE 8d

Voters qualifications

- i. The following persons shall qualify to vote:-
 - Registered delegates to the General Conference.
 - Registered delegates to the Annual General meeting.
- ii. The following persons SHALL NOT qualify to vote:-
 - ZNAPH Secretariat.
 - Electoral commission.
 - Observers
 - Resource persons.

ARTICLE 8e

Vacant office:-

In the event of an office becoming vacant in mid-term, the National Executive Committee shall co-opt a member or members from among the provincial committee to fill the vacancy pending the General Conference.

ARTICLE 8f

The Electoral Commission

- i. The National Executive Committee (NEC) shall appoint an electoral commission comprising of three (3) persons from a reputable organization whose duties shall be:-
 - a. To approve or reject nominations.
 - b. To supervise and conduct elections and announce results.
 - c. To handle election disputes (if any).
 - d. To dispose of any other matter in relation to elections.
- ii. Members of the electoral commission shall not include persons who previously served on the NEC Board.

CHAPTER 9

FINANCE

ARTICLE 9a

Finances

- (i) ZNAPD finances shall be fundraised from any legal sources which shall include donations, grants, membership fees and income from any fundraising ventures.
- (ii) The funds so raised shall be used to meet the objectives of ZNAPD.
- (iii) The financial year shall be from 1st January to 31st December each year.
- (iv) Books of accounts shall be audited once every year.
- (v) The signatories to ZNAPD accounts shall be:-
 - Executive Director,
 - Senior Development Officer
 - Assistant Development Officer.
- (vi) Accounts shall be opened at Commercial banks for the safe custody of monies.

ARTICLE 9b

Organisational Assets:-

Any property sourced in the name of ZNAPD shall remain the property of the organisation.

CHAPTER 10

MISCELLANEOUS

ARTICLE 10a.

Authorized spokesperson.

The National Chairperson or with his/her consent the Executive Director shall from time to time speak or issue statements on behalf of ZNAPD.

ARTICLE 10 b

Disclosure of Information.

- i. No NEC member, delegate or secretariat staff ZNAPD shall at any time disclose source of information or data supplied in confidence to ZNAPD.
- ii. A person shall not, without the consent in writing given by or on behalf of ZNAPD publish or disclose to any unauthorized person, otherwise than in the course of his/her duties: the contents of any documents, communication or information whatsoever which relates to and which has come to his/her knowledge in the course of his/her duties under this constitution.
- iii. Any person who contravenes this provision shall be guilty or an offence which shall be punishable as the NEC may deem fit.

ARTICLE 10c

Disciplinary Code of Conduct:

Should any member of the organisation fail to act or conduct himself/herself in accordance to the laid down aim and objectives of the organization, he/she shall be disciplined in accordance with the terms as stipulated under the code of conduct in the organisation's Disciplinary and Grievance Procedure Manual.

ARTICLE 10d

Common seal

- i. ZNAPD common seal shall be authenticated by the signature of the National Chairperson, or of any other office bearer authorized on its behalf.
- ii. Such a seal shall be officially and judicially noticed.
- iii. The seal shall be binding in all business transacted on behalf of ZNAPD.

ARTICLE 10e

Constitutional amendments.

- i. The provisions of this constitution may be repealed, amended and/or added to by a resolution passed by a 75% majority of the votes caste at the General Conference, AGM, or Extra Ordinary meeting called for that purpose.
- ii. The provisions proposed for alterations/inclusion shall be specified in writing and forwarded to the secretariat.
- iii. Copies of the altered (amended, repealed and re – written) constitution shall be re – circulated.
- iv. The amendments to this constitution shall come into force, immediately after being ratified by the General Conference or AGM or Extra Ordinary Meeting.

ARTICLE 10f

Dissolution

- i. ZNAPD May be dissolved by a resolution or a vote caste by a 75% majority of the delegates at the General Conference, AGM or Extra Ordinary Meeting.
- ii. Upon dissolution all real estate assets of ZNAPD shall be sold. The proceeds of such sale and all funds in hand at the date of dissolution:-
 - a. Shall be used to discharge off all debts and liabilities.
 - b. Any assets or funds realised shall be channelled to such a body or bodies having similar objectives to that of ZNAPD.
- iii. The government body tasked with overall responsibility of coordinating disability issues shall be tasked to oversee the implementation of the provisions of *Article 10f (ii)* above by the delegates.